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EXPERIMENT IN EDUCATION

WILLIAM ERNEST HOCKING

EXPERIMENT IN EDUCATION

What We Can Learn from Teaching Germany

HENRY REGNERY COMPANY
Chicago 1954

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To American knight-errantry
in education

and

To Germany immortal
in gratitude and sorrow
in love and faith

To the Reader

The only complete catastrophe is the catastrophe from which we learn nothing. Periods of strife as periods of testing are sources of self-discovery. War, the supreme disaster, calling out all there is of power in men and nations, power moral as well as physical and economic, discloses to us our dimensions, plus and minus. It is for this reason that William James, surveying the "cattle-yard" of peaceful security, wanted to inject into it a "moral equivalent of war." There is no such moral equivalent. Yet war deserves no praise, and surely no invoking, for calling out the heroic virtues: it does not create them, it reveals them if the stuff is there. If it is not there, war reveals its absence. If our wisdom has cracks in it, war, like an earthquake, shows the cracks and completes the syllogism. We do not invite earthquakes into our cities in order to learn lessons in building construction; but if the quake comes, as to San Francisco in 1906, architects and builders seize the unique opportunity, and building techniques benefit, from Tacoma to Tokyo and Teheran.

For this nation, the past twelve years have presented just such an emergency opportunity,—unwelcome, uninvited, endlessly rich in possible instruction. There is no phase of our national life that has not been put under testing strain by the Second World War and its aftermath. We shall be indeed culpable if we fail to extract from it its costly revelations, unrepeatable, of our national qualities and defects. For what it may show, the question of apology does not arise,—

certainly not for our unsuspected strengths nor yet for our unsuspected weaknesses. To enquire where we made mistakes is not to apologize. War is a repertory of mistakes because it has to be a magazine of improvisations. In war, we are always doing something for the first time—perhaps also for the last time. It would indeed be a miracle if what is thus improvised under the stress of hell should be perfect. Its virtue is that it is done at all. There can therefore be no manner of contest between, on one hand, the unstinting praise of our heroes and our joy in victory and, on the other, our determined pursuit of the enquiry: What have we to learn about ourselves, better and worse, through our performance during this period of extraordinary national effort?

In this book I am concerned with only one phase of this effort, our undertaking, after the victory, to educate a bit of old Europe. From the time of the German surrender in May, 1945, to the close of the Occupation some eight years we tried among other things to "re-educate" part of a nation much older than ourselves and of deeper-rooted culture. This enterprise, unique in our own history, is in some ways unique in the history of mankind.

We must say at once that this was not a gratuitous nor an arrogantly self-appointed enterprise: it was indicated by the peculiar nature of the war and of the issues on which it was fought. The victors in this conflict (except one) renounced the ordinary "fruits of victory." While the terms of surrender put them into the position of conquerors, they (in due time) interpreted the defeat of the enemy not as a conquest but as a decision, a decision regarding terms of future international order to be observed by victors and vanquished alike. This implies that the issues of this war were issues of thought and principle, not of power alone.

Let us make no mistake here. No war is ever fought solely

for a principle. The literal issue of war is always a question of factual existence. Nations are history-making entities, that is their main business: war is a clash of national wills over what facts shall come into existence, or be kept out of existence, in the next stretch of history. When the armed forces of one combatant nation are defeated, that question of factual existence is settled: the history-making will of the defeated nation *shall not be done;* the war is technically at an end. This was the situation in 1945. Hitler's vision of a Third Reich dominating the next thousand years of Europe was at the moment of surrender denied birth into the world of historic existence: the war was over. But its work was not finished. For in this case the defeat was but a prelude to the history-making will of the victors: there was an *idea* to be built into the factual structure of future time.

Not, let me note, that victory *proved* any idea or principle. Modern war is the worst of all textbooks for conclusions on ideas of justice. The point is that in this particular war the whole momentum and meaning of the Allied purpose shot beyond the factual rejection of Hitler's Third Reich: it meant to exclude *any such program* from all future time, which is only a factual way of saying that it aimed to uproot the principle of the thing. It *had* to uproot the principle. Why? Because the defeated nations—conquest being renounced—were eventually to become free nations; and if so, that will of theirs which was not to be done *had to be transmuted* into a will that could be done, a will that could be welcomed into free partnership with the victors in history-making, impossible without accord on principle. The scope of this demand is staggering: it was inescapable.

And the next step was likewise inescapable. Since the wills of peoples as of individuals can be durably transmuted only by persuasion, it was inevitable that the victors should become persuaders. And this meant in some sense becoming

teachers, unless indeed by some self-righting process (which I shall try to show actually took place) the transmutation should silently effect itself. The period of Occupation was essentially just that, a period of hatching out this hoped-for will-accord, whether by direct persuasive action, "education," or by releasing imprisoned normalities of public purpose, never absent.

Of course, victors have always tended to interpret their imposed régime as a cultural advance. And not seldom, in northern Europe, conquest has been assumed equivalent to persuasion, no, I will put it stronger, has at times *been* equivalent to persuasion. The "damping down into Christianity" of the fighting Norse, Wends, Picts, etc., if not strictly *by* the sword yet as a corollary of the sword's victory, may be fairly brought to mind:

> King Olaf from the doorway spoke:
> "Choose ye between two things, my folk,
> To be baptized, or given up to slaughter."
>
> And seeing their leader stark and dead,
> The people, with a murmur, said
> "O King, baptize us in thy holy water!"

This swift and clearly conclusive type of argument has, in a thousand years of political sophistication, lost—to speak moderately—some of its force. It was no naïve folk-faith-and-loyalty that we were dealing with in proposing to sublimate the political purpose of aggressively militant Germany. That purpose embodied a rich cultural development, a wealth of philosophy, of political experience, of reflection on the history of mankind, of educational leadership,—a leadership which had gone far to lift the thought-level of that relatively new land, across seas, now cast in the rôle of instructor. We Americans were in Germany to revise the mentality of one of our cultural grandparents. We were—

again to speak moderately—very sketchily prepared for this stupendous undertaking.

All the more, we had everything to learn from trying it. We could not so much as begin it without seeing our own entire culture-corpus, including our system of education, in a new light, because under a new test. *Never was a nation so set before the necessity of radical self-examination.* Just because we were presuming to educate, we were under the most instant pressure to learn. We would have to learn something about Germany; yes—but we would stand to learn much more about ourselves.

We went into this task as we had gone into the activities of war with a sense that here was an inescapable duty to be done as best we could, without relish but also without the hesitations of Jonah. How much trepidation we felt I cannot say—I trust there was some. But we were sustained in part by the mutuality of a large segment of the task shared with our Allies, and by the fact that much of it was not in the form of direct teaching but by way of setting up new institutions of general scope, a remade civil order, a U.N. organization with prospective membership for all "peace-loving" nations, a special Court administering a few newly-stated principles of international law. Each of the occupying powers had at its disposal a controlled press, and could conceivably have carried out the main part of its "re-education" of Germany, first, by way of its own administration, and second, through explanations in its own press of these its acts and principles.

There was nothing in the terms of our mission to require, in addition to such measures, interference with the German system of education, addressed to future rather than to present German citizens. Accordingly, each of the Allies interpreted this region of possible action in its own way. The

Russians, who were in a hurry to make their zone into a well-communized district, practically took the schools over. The British, to quote Dr. George N. Shuster,

> went in very largely for letting the youth of a dismantled Germany do pretty much what they had always done, subject to rather casual purges of Nazi teachers and materials. The French viewed the situation as made to order for the advertisement of their own cultural achievements, which are very considerable, and so brought to the Germans a great variety of discourses, exhibitions, and concerts which the educated public undoubtedly enjoyed very much. Americans dissented from all these methods.[1]

In the laudable desire to be thorough, for the sake of the oncoming generation as well as the present one, we undertook a reform of the German system of primary and secondary schools, and to some extent of the universities.

In this highly ambitious interpretation of our mandate, we had, of course, to assume that we knew how young Germans ought to be educated. And this, in turn, implied that we knew how young Americans ought to be educated, and that we could without too much risk make the required offset for the different background and for the widely different prospective careers. It is true that our own educational system had been for some time under vigorous criticism, and that in view of diversities of theory and practice it was fanciful to speak of "American education" as if there were a single identifiable type. We had to abstract from these debates and divergencies, to assume that there were common outcomes of American educational experience, and that there were men of caliber and judgment able to interpret these outcomes and willing to advise the Occupation. There were

1. *Proceedings of the American Philosophical Society*, vol. 97, No. 2, April, 1953, p. 159.

such men, men of great gifts and insight working within the framework of military government, together with others. On this basis we went with much decision into the heavy work of school reform.

The American public has had much report, rather conflicting report, on the effectiveness of our educational effort, whether with the German schools or with the German people. As the Occupation winds up its work, it is now for the first time possible to estimate fairly the degree of our success or want of success.

But the matter that chiefly concerns this book begins where such estimates leave off. While we are interested in what Germany may have learned from us, we are here concerned first of all with *what we have learned and may learn through trying to teach Germany.*

If we are willing to learn, we need have no regrets for attempts beyond our powers—how else do men or nations grow? Just because our own scheme of education is still experimental, an attempt to transplant some of its salient features into another context promises invaluable instruction, as much from failure as from success. And just because such educational wisdom as we have gained—useful as it has shown itself in societies widely different from our own, in China and Turkey, for example—is still far from perfect, this emergency undertaking is a windfall, an unimaginable opportunity, whose lessons it would be a crime to neglect. These lessons must be garnered now.

One of these lessons may be mentioned here. It relates to the spirit of our undertaking as guided not alone by the men on the spot but also by the government at home, a spirit which we have already defended from the charge of arrogance or vainglory. It is not so clear that we fully understood or respected the scope and dignity of our own func-

tion. The injunction, Go, teach all nations, may be fairly given a political application: it is a valid element in the mission of every nation having an idea for all mankind (and no nation is fit for survival unless it has an idea for mankind) as this our own nation surely has. The responsibility that attends this obligation is heavy. If we, through our Occupation, were proposing to aid the German people to reinterpret their national will, we were involved in a judgment of the whole course of recent German history and thought. Unless at the sources of our policy we had the requisite grasp of that history and of that thought, our instruction could only be hollow at heart and had need to learn from the depths of the nation upon whose direction we were passing judgment. It will be well if we, as a people, learn in time, and precisely through this effort, in many ways so noble and so generous, "one thing thou lackest," the will to poverty of spirit in presence of the infinite demands of truth and justice, and of their infinite difficulty.

WILLIAM ERNEST HOCKING

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Part One

THE UNIQUE ENTERPRISE

I

How Nations Learn from Nations: the "Universal"

Teaching and learning are always going on in a silent way, among nations as among individuals. Knowledge, techniques, cultural achievements spread, not quite automatically but without the aid of conscious educative efforts, wherever travel and communication reach. For knowledge, widely reputed to be "power" and sometimes sought as such, is first of all *light*—valued first for what it is and only afterward for what it can do; and like light, it tends—as if by a propulsion of its own—to spread without limit in all directions.

To be sure, knowledge can be possessed as private property. Much of it is so possessed; some of it is worn as a plume or as a badge of authority or is taken as a source of personal power—the least justifiable of human prides. Even so, with every such treasure there goes an uneasy yen to transmit it—if not to "others" in general, at least to someone else: witness the glee and relief of a child whispering to a confidante a "secret!" History begins with strong proprietary feelings toward the cultural possessions of tribe and nation. We still speak of "our" science, "our" law, "our" way of living. These are, in sum, our national character—what else have we? It was in his day a revolutionary policy when Alexander, himself a pensioner on Athenian lore, determined

that Greek thought must also go to the Barbarians and planted Greek schoolmasters in each new Alexandria. When the Roman world accepted this principle and absorbed into itself the widened Greek cultural enclave, human history had created a new institution, that of "the universal," the idea or cultural note which cannot be exclusively possessed because in its nature it belongs to all men. Proprietary claims to what is universal, in knowledge and art, were henceforth anachronisms.

Not that the possessive spirit was dead: it long continued to show itself wherever nature's secrets had to be broken into by mystic arts known only to "the doctors." The doctor is the hereditary foe of the universal, for he is the man who privately or professionally possesses an advantage through impounded knowledge.

It is true—not to be too hard on the doctors—that not all knowledge or art has this universal character. Much of it is justifiably private, or local, or "relative" to time and place; some of it may rightly live in the forbidding terminologies of experts, in the closets of trade, or in diplomatic top-secrecies. And further, much that is universal is not worn on the sleeve: it is mixed, perhaps inseparably, with what is particular and local. Positive law is such a mixture; so much so that Savigny, eminent student of Roman law, could look with "pity" on minds who found in Justinian's Institutes any element of universal law, "for no earthly reason except that they are ignorant of the historical origins." He complained bitterly of the "self-delusion" whereby "men, nations, and ages . . . hold what is peculiar to themselves to be common to human nature in general." Savigny himself was a victim of the reverse delusion, that in which the presence of the historical and local factor is allowed to conceal the element of universality mixed with it. The wide reception of Roman Law in Europe confronted him with a refuta-

tion which he was unable, because unwilling, to see. The instinct of mankind is sounder; for the impulse of travel, the eager exchange of literatures, and the mental exploring of foreign sciences and arts (Chinese painting, for example) express the belief that something in that product has meaning not alone for Chinese but for mankind: it is human and therefore belongs to me, whether or not I am prepared to analyze-out its universal element.

In some few matters, however, the universal element is unmistakable. This has long been the case with mathematics. In the Roman world, drawing from Hindu, Mesopotamian, Egyptian, Greek sources, this science ceased to be local, and became simply "mathematics!" Possessiveness, reaching a certain climax, had destroyed itself. The Greeks were the first possessors in full right, for they had developed the art of proof; the empirical geometry of Egypt had become the demonstrated geometry of Pythagoras and Euclid. The human mind first fully owns what it can "prove"; but it is also through proof that other minds can be compelled to receive your theorem. The very act of taking possession gives the truth in question to mankind—the Greek achievement canceled the Greek sinecure. Whatever is in this sense rationalized is *ipso facto* universal. The best token of its presence is that other peoples want it (as they want the sciences and technologies wherever they grow strong), will go long distances to get it, and when it is found will claim it not as "ours" but *as their own right.* "If you have a mathematical or scientific idea, brother, give it to me: it is mine, provided only I am intelligent enough to use it."

Now mankind is always on the scent for the universal as for the rest of its own cultural life. It picks up and uses without any if-you-please the unmistakable universals of mathematics, logic, science, wherever it finds them. It follows the obscure trail of the universal in its various mixed forms in

the arts, the positive laws, the ways of living, of other peoples. It is fully aware of relativity, but not deceived by it—it discerns the non-relative, the universal, underneath. Where it scents or suspects something of its own, it gives attention, admires, investigates; the convergence of many such enquiring regards generates what we call "prestige" in the region or center thus attended to; and wherever prestige exists, an informal, spontaneous education flows from the region admired to the enquiring regions. Prestige is thus a gift from non-possessors to a possessor (or supposed possessor) of knowledge, art, technique. And note that it has to be a free gift. Like the turning of the needle to the Pole, it is *uncommandable and unbribeable.* Any self-conscious claiming or holding or courting of prestige is likely to presage its moving elsewhere—what Rome or Paris pride themselves upon becomes by that fact insecure. L'École des Beaux-Arts ceases to be the chief portal of architectural distinction—indeed (I am told) Paris can no longer dictate exclusively the fashions of women's dress!

Prestige-giving, I say, is unbribeable. For that reason, it is often strangely migratory, and again strangely persistent. Europe, through the veil of many a hostility and alienation, continues to educate America in this unsteered fashion. "The West," across the lines of drawn conflict, continues to educate "The East." In each case there are strong educational reverse-currents; such regional education is commonly reciprocal.

But if prestige-giving is unbribeable, success or failure in war or in national economy should have no effect upon it. The facts show the contrary: war never leaves cultural prestige unaltered. There appears to be a strong human proclivity to ascribe cultural virtues to the victor, and this is easily interpreted as a primitive, prevalent, and perverse might-

makes-right reaction. This reading of the case is exactly mistaken. The point deserves a moment's notice:

Military power and success, I venture to assert, have no enduring influence, even on the fickle public mind, in endorsing the specific causes maintained by a victor, except in so far as it can be presumed that the rightness of a cause adds to its actual might. This presumption that right contributes to might—which is at the basis of the much-misinterpreted Hegelian philosophy of war—is clearly the precise opposite of a might-makes-right reaction. The psychological argument from military (or economic) power to public virtue runs in a quite different quarter. It is this: that since there are human virtues, individual and social—inventiveness, endurance, teamwork, loyalty—which can be "taken out" in war and in the struggle with nature, a strong national economy and military effort presumes a degree of such virtue—somewhere. And *per contra,* a weak economy and a flabby showing in war create a presumption (not a proof) of a corresponding deficiency in public morale—somewhere. Just where, in any given case, it is one of the problems of history to enquire. Barring the high degree of accident in contemporary warfare, and the now extraordinary military advantage of aggressive ill will, the argument is valid. Success in war, while offering no new evidence on the merits of war issues, has something to say, *ceteris paribus,* on the quality of national fibers.

Public reactions, in my judgment, are not blind to the distinction here made: cultural prestige-giving remains unbribed by the mere facts of success or failure, as after a military convulsion its needle settles into position. The cultural dominance of Greece continued long after her military cancellation; likewise the mediaeval prestige of fallen Rome. In recent times, the meanings of victory or defeat for cultural prestige have shown, and will further show, the same quiet

veracity. The effect of military success has been primarily to jog attention, and call for another look at *the internal morale* of a nation which has shown unsuspected power; its arts and sciences continue to be judged as they deserve, by the degree to which the universal lives in them.

This was clearly the case, at the end of the First World War, with the cultural standing of America. We were not a fighting people; our capacity was unknown; we had had a brush with Spain, but no one knew what we might do in a great contest. Our effective vitality came as a surprise quite as much to ourselves as to others. In the early summer of 1917 I was in London—we had entered the War in April. I was invited to sit one day with the editors of the London *Nation.* Massingham was in the chair. As I came in, one of the editors was speaking: "They [the Government] are relying on America," he was saying, "and they are relying on a broken reed." The judgment was sagacious—it happened to be wrong. I could tell them, and took pleasure in doing so, that the first contingent of American engineers was even then in England, having debarked at Liverpool from the *Baltic,* and was on the way to France; and that ships were running off the slips of American yards at the rate of so-and-so many per week. We were already a weight to be reckoned with; and we were disposing of that weight in accord with a mentality capable of thinking in world terms (a bit naïvely, no doubt, though it ill became our Allies to say so). There was ground, if not for a new respect, at least for a new interest and enquiry.

This interest took its own odd forms: Viennese bookstores gave much show-window space to Henry Ford, to American industry, films, baseball—a little to social life, literature, education. War had done nothing to make these matters important: it was simply that war, the most devastating of human misfortunes, confronts a nation with a test of its ca-

pacity to pull itself together for "a national effort"; and that, for a nation hating war as thoroughly as we do, this capacity was a sign of national maturity. We had become of age in the sense that we could take our full share in meeting a formidable assault on world order—our thinking had ceased to be provincial. Europe responded to this sign. At the same time, its interest in this country was not purely one of cultural respect. It was in part a cultural dread, solicitous for its own way of life. It had to make its diagnosis of American art and manners, if only to protect itself from the new prides and self-satisfactions of a none-too-modest participant in victory. In the English skit, *1066 and All That,* Columbus is summoned before a British police court charged with the crime of having discovered America and having thereby corrupted the King's English. The symbol is pertinent.

The entire period between the two World Wars may be regarded as one of quietly readjusting cultural focuses throughout the Western World. The Far East looked on the first war as a fratricidal breakdown of Western morale, a failure of Christendom. In the world balance we, victims and vanquished alike, suffered a vast loss of prestige. Within Western borders, the informally revised system of cultural influences, well-criticized in the literatures of Europe and the Americas, seemed to approach a new stability. There had been tendencies here and there to banish the German element, turn thumbs down on German language-studies, German literature, German music. The unbribeable prestige-giving sense slowly brought this element back, perhaps at a more modest level. There was little evidence anywhere of a desire to assume a consciously tutorial function, though the brave attempt of Woodrow Wilson in his Fourteen Points—eliciting Clemenceau's wry *mot: Le bon Dieu n'avait que dix* —approached that character. But while Wilson earned from Europe's diplomatic sophisticates, including Lloyd George,

a degree of sly criticism for playing schoolmaster to the world, yet in the public European mind, the United States, for having declined to underwrite Wilson's League of Nations program, justly forfeited something of the regard its participation in the struggle and in the settlement had gained. Leadership has to include, without so naming it, an educational function within the sphere of its activity; or, to put it otherwise, *leadership which does not at the same time educate fails to lead.* And to educate, it is not enough to be able to formulate principles ideally laudable while incompletely related to the habits of nations, including one's own.

Then came the Second World War. The spontaneous educative processes among Western nations, such as we have been describing, ceased. After the War, they gave way abruptly, at one point, to a deliberate teaching enterprise. Germany, as the aggressor, was quartered, and the Occupying Forces entered on a period of purposeful discipline of the German people. Four victor nations became schoolmasters to four segments of Germany.

II

Mixed Motives of Our Mandate

In the good old days, let us say prior to 1900, when there existed in international law a "right of conquest" tempting would-be conquerors to try their luck, a conquered people had to live under the conqueror's dictation; and with the change of laws, pressures to change customs and even the language of school and court were to be anticipated. In the corresponding good old Europe when border lines were subject to abrupt alteration and the map had to be revised every century or so, it usually went hard with the cherished *mores* of transferred border provinces. If a part of Italy became Austrian, or the Austrian Tyrol became Italian, or Alsace-Lorraine changed masters, the new overlord might be restrained by prudence or difficulties in administration from attempting a thorough digestion of a subject-nation into his own type; but that was his choice—there were no "rights of national minorities" to set against him.

When with the close of the First World War the "right of self-determination" came forward as an inherent property of nations—one of Wilson's contributions to world order (and world restlessness)—the "right of conquest" and its digestive corollaries were challenged. Any minority which could put up a claim to be considered a "nation" could now, in the name of the newly revealed right, resist being made over. The Caucasian province of Georgia—native place of Josif

Vissarionovich, now more easily called Stalin—petitioned the Peace Conference to call upon Russia to respect an old treaty guaranteeing Georgia the right to have its own bishop and to have court-proceedings in its own language. With the later classing of all aggressive war-making as crime, the "right of conquest" became obsolete, even when the "conquest" consisted in defeating an aggressor bent on conquest. The old "right of conquest" now becomes a wrong and is sublimated into a *responsibility of victory.*

But how, in the case of an unconditional surrender, can victors be responsible, and to whom?

In the case of Germany, the victors were certainly responsible to the logic of their own announced war aims. By their own professions, they were in Germany not to erase or alter German culture, but to put a definitive end to certain intolerable policies of the previous German government.

And if one asks why these announced war aims should bind them, the answer might be that they, the victors, were first of all responsible *to the world community, and its opinion*—even if that community was a mere blueprint to be realized in part by their action. They were acting, not as sovereign entities bound by nothing but their own interests, but in the *spirit of an unwritten mandate.* Wholly devoid of mandatory charter or legal status, they were acting in behalf of a civilization to be recovered, a civilization which the Hitler drive, especially in regard to good faith and respect for human dignity, had ruthlessly undermined.

What was this implied mandate? What the incipient world community could fairly expect from the victors was, in concrete terms, *insurance*—military and other—against the resurgence of the Hitlerite empire-dream and its methods. If we ask whether the mandate proposed any way of achieving this insurance, the answer is that one method, at least, was

excluded—the perpetual administration of Germany by alien powers, whether by indefinitely prolonged military occupation or by the powers themselves assuming the burden of governing Germany. But this is only to say that their mandate was the only possible alternative: viz., to reconstruct Germany in such wise that it could, in foreseeable time, be left to govern itself.

And this being the implied mandate, the problem then becomes salient, how to reconcile a rehabilitation of Germany with the required insurance against resurgent Hitlerism.

One proposed solution was simplicity itself: namely, to destroy German power, economic and military, so thoroughly that no future Führer could lift his head. Germany was to be divided, amputated, compelled to renounce rearmament, industrially crippled, and given a crushing, long-lasting load of reparation duties, amply secured and policed. This was indeed thorough, and its implications, gradually realized, were radical: it implied that genocide by Germans was to be repaid with genocide of Germans by us, on a far ampler scale, and with a lasting legacy of misery and hatred in mid-Europe.

Saner counsels realized that insurance at this cost was bought too high; destruction cannot be remedied by further destruction, moral and material. The inescapable alternative was that Germany must be allowed to recover, and must even be helped back to economic and social health. Insurance must be sought, because it can be found only there, in an altered disposition of future German governments. This solution was bound to appear to some tempers unjust—i.e., lacking in retributive justice—and to many others quixotic. How could the world community be reasonably assured, and in a brief time, that any future German government would be "peace-loving" instead of war-willing for national ends?

This mandate, a task of achieving a radical mental change

on a nation-wide scale, had indeed, *prima facie,* a preposterous aspect. History presents no precisely parallel case. It was a bit less preposterous than it sounds. There was no proposal to convert the old government, which had vanished. The hope was to find new ingredients within the nation from which a "peace-loving" government, with the backing of the German people, could be moulded. This hope implied that an unknown but determinable part of the German people had been out of sympathy with the Hitler leadership and its methods, that the experience of defeat and ruin would have disillusioned many others, and that the breaking-in of fact, thought, and judgment from outside would start new processes of thinking and therewith the germs of a new and normal political existence. It also assumed that we, the victors, knew the right aims and methods which should replace the wrong ones; and that, with the co-operation of a new group of German leaders chosen by ourselves, we were competent to bring about a lasting change of direction in German political life within a finite time. The case of right against wrong, we believed, was sufficiently obvious to speak for itself, once the artificial obstacles to clear thinking had been cleared away; and the Court of Nuremberg dealing with war crimes would bring to light the lines of recent history in a way so judicial and thorough as to compel assent. Aided by the cataclysmic events which must have driven every thinking German to review his course, and by the interpretation of those events which we were confidently prepared to furnish, we considered it possible to re-orient Germany without too much preliminary labor of understanding Germany or Europe.[1] The old shackles and blinders were broken; we could

1. I am not using this phrase casually. In the actual set-up of the International Court of Justice at Nuremberg, arguments of defense drawn from political and economic history were excluded, partly in deference to the confessed ignorance of European history on the part of American counsel, partly to avoid probable "recrimination" falling upon allies of the United States which it would be embarrassing for Ameri-

set up and start a new social apparatus which encouraged free thought and discussion; the rest was a matter of education. In this light, the picture appeared to us far from hopeless.

France and England accepted a similar view, though they came to their task with at once greater experience and greater caution. The Soviet Union also had something to say of education, in the special form peculiar to absolute authorities, "indoctrination." The people, the press, the schools, the universities were not to be persuaded by argument: they were supplied with the Soviet-truth. They were to transmit it and act on it—counter-ideas and counter-facts were to be kept out. This had also been Hitler's process, but with a different set of facts and truths—it is a process which obviously works best when such diversity is absent. It could produce in German minds, unable to forget Hitler-data, an appearance of conformity, riding a ground-layer of cynicism. It could do nothing to prepare for future self-government, a type of German future for which the Soviet Union may have had less fervent desire than the other Allies. With an active police, the Soviet method of changing the visible German mind had the advantage of producing rapid results. We were obliged to forgo this advantage; we had to follow the slower

can counsel to deal with, and partly, no doubt, to save time! Mr. Justice Jackson, Chief of Counsel for the United States, persistently urged this exclusion, and is quoted as saying (in the preparatory London Conference of June, 1945), "I really think that this trial, if it should get into an argument over the political and economic causes of this war, could do infinite harm both in Europe, *which I don't know well,* and in America, which I know fairly well." (Italics mine.) The question which will come to the mind of the reader is: Why go through the form of a trial, in which the presumption is that you listen to what counsel for the defense has to say, however flimsy, when you have in advance excluded his only possible line of defense, namely the historic circumstances of his act?

and more difficult method of honest persuasion, and with a time limit which the Soviet Union was not imposing on itself. We could hardly have anticipated this pedagogical competition, but we had no fear of it. The situation offered a marvelous ready-made opportunity for comparing the effectiveness of these very opposite methods of public mind-moulding—if only the two sets of teachers, the authoritarians and the appealers to free minds, had been equally sure of their objectives.

The Soviets were in no doubt about their aim; our Military Government was not a unit in this respect. The two phases of the mandate—to insure against revival of Hitlerism and to rehabilitate Germany—belonged together but could easily pull apart, and did. It was natural that some minds in OMG should be chiefly concerned in building Germany up—seeing that, for the German people as a whole, defeat *was* punishment and the time had come for looking forward—while others in the name of security were chiefly concerned in keeping Germany down. With these latter was allied a highly vocal segment of opinion, both in this country and in the Military Government, a segment whose primary concern was punishment, sufficient punishment if possible—which they doubted—but in any case continued punishment. To them, for understandable psychological reasons, punitive justice of the eye-for-an-eye type appeared to be an end in itself, independent of either security or education, but contributory to security. As for education, they considered, as a rule, that there was such a thing as a German racial character, not alterable by affirmative teaching but capable of a degree of cure by prolonged suffering and privation. Our Military Government was subject to the counsels of both groups, and as a result, the *motives of the mandate were mixed.*

Now punishment is often an element of education—the two are certainly not incompatible. But a continued insistence upon and obsession with punishment *is* incompatible with the strong hand-up, directed toward the future, which belongs to the very idea of education and which, as we slowly began to see, was the essence of our task in Germany.

The spirit of desperate combat from which the Occupation immediately emerged was ill fitted for any educational undertaking. It was easy for the allied foes of Germany to accept a mythology of German national character which, had it been valid, would have doomed any such enterprise to futility from the beginning. Germany, so the argument ran, must have a bent to war-making—had she not started two wars within the present century? Had she not praised totalitarianism and war in the writings of Luther and Nietzsche, of Hegel, Treitschke, and others? Had she not made heroes of Frederick II and Bismarck? Had she not gladly accepted the Hitler leadership, and continued to follow it in its progress as step by step it dehumanized the processes of domestic government, of diplomacy, and of war? German character must have innately the perversities which alone explain these possibilities.

Beliefs of this kind, held strangely enough by many who violently denounced Hitler's racialism in history and even denied the possibility of any racial psychology, should have condemned in advance the program of the Occupation. Not alone was the educational idea on these premises footless, but also the termination of the Occupation was impossible. Germany could never become peace-loving—occupation must be perpetual unless, indeed, Germany could be destroyed. Those who held such beliefs consistently continued to discover in Germany unrepentance and resurgent Nazism, and to urge more punishment, more dismantling, severer restrictions on the energies of recovery.

Fortunately, the Occupation soon recognized the spirit of the "Morgenthau Plan" in its Directive J.C.S. 1067, saw it as the product of uncreative emotion, and turned its face, not completely but for the most part, from the psychology of innate depravity to a faith in the inherent self-righting powers of the German spirit, not because self-righting is peculiarly German, but because it is universally human and Germany is not excluded from the common human heritage. Indeed, Germany through its philosophical literature has been the outstanding exponent in modern times of moral freedom through self-judgment, the essence of every self-righting process—dealing with past guilt as something neither to be forgotten nor worn forever as a chain about the neck, but *to be thought through and overcome.* This faith, which allows all men to look to a future-including-an-overcome-past—the faith of Herder, Kant, Goethe, and a good half of Hegel—is also at the foundation of American democracy, as of every sober and realistic optimism. The leaders of our Occupation, being large-caliber Americans, could not long act at cross purposes with this faith, in a temper of chronic denunciation of an entire people.

Had this perception been general throughout our Occupying authorities, and at home, the motives of our mandate would have been less mixed than in fact they were. There had, of course, to be a definite reckoning with the past if the Occupation was to have any moral meaning whatever: there was something to be "thought through and overcome." But this negative factor had to get beyond the indiscriminate punitive momentum and become judicial, selectively aimed, reflective, and subordinate to the affirmative task. It was also essential to give full credit to the thinking-through and overcoming which the German people themselves were doing; for after all, this had to be their act and not ours!

III

Germany in Mid-Occupation, 1948

A bit of personal narrative:

In 1948, spring and early summer, when the Occupation was about three years old, I had two occasions to observe its working, chiefly in the American Zone, which included the university cities of Frankfurt, Erlangen, Heidelberg, and Munich.

Ten years before, I had traversed Bavaria and the Rhine Valley in the course of a journey from Dubrovnik on the Adriatic Coast to Great Britain. At that time, Germany was outwardly its century-old self, and the universities, painfully adjusting themselves to Nazi interference, were still holding to a semblance of the normal university life I had known as a student in 1902 and 1903. Inwardly, Bavaria, and especially the cathedral city of Munich, was all atremble with the tension between the Hitler government and the church authorities. Cardinal Faulhaber was addressing congregations, sprinkled with brown shirts, in open protest against the new rules restricting access to the schools for training the clergy, thus quietly strangling church leadership in its cradle. A Protestant pastor whose church had been demolished by brown shirts—legally demolished by way of Nazi city-planning—was speaking to crowded gatherings in rented rooms

in the center of the city. Lovely old Nuremberg was aswarm with the hundreds of thousands of brown shirts at the *Parteitag*. Maria Laach, Benedictine monastery in the Rhine Valley above Andernach, with its five-hundred-acre farm worked by lay brethren for its support, was on tenterhooks lest the unfriendly government should declare its acreage below standard of productivity and confiscate it. The whole south-German land, in late summer of 1938—the Austrian Putsch had taken place—outwardly calm and almost quiescent, was penetrated, as I thought, by a dread lest Hitler should involve Germany in another war. In Dubrovnik, where owing to German contracts in Yugoslavia many Germans were in holiday residence, I had found numerous individuals, when safely out of hearing of other Germans, willing and almost eager to speak of their apprehension and their feeling of helpless entanglement in an unscrupulous and merciless governmental Juggernaut—a million non-Jewish Germans were already in Nazi concentration camps.

But Bavaria in August and early September of 1938 was still to all appearances its lovely, peaceful, proud, historic self.

Now in 1948, Frankfurt, Nuremberg, Munich were shambled wrecks of cities, stunned life just beginning to pull itself together for the mechanical acts of the physical circuit of living. In Munich one could see trucks of building materials unloading at the cleared first stories of ruined warehouses; streets had been made usable. Primary schools were in operation, mostly in makeshift school rooms, taking in three sets of children per day. Universities were in full blast, overcrowded with students—Munich, with over six thousand, the largest in Germany—these thousands living God knows where; some making long daily treks from farm homes and working almost without tools, books, writing materials; penciling notes on wrapping paper; attending lectures in

patched-up corners of bombed and burned university structures at first without central light or heat; working toward nonexistent careers.

During the academic year of 1947–48, I had been in residence at the University of Leiden, in Holland, as guest professor. My work was to give two series of lectures, one on the history of philosophy in America under a newly inaugurated "*studium generale*" (i.e., open to students of all faculties), the other on philosophy of law, under the Juridische Fakulteit. It was during my residence in Leiden that invitations came to visit Germany, one from Professor Aloys Wenzl, then rector of the University of Munich, and a later one from the Military Government of Bavaria, asking me to address a gathering of German jurists, a *Juristentagung,* in early June, also at Munich. These journeys gave me opportunity to visit other universities, to confer with various departments of the Occupation, to converse with German civilians in many walks of life, and to attend sessions of the War Crimes Court at Nuremberg.

What one had to observe at that time at every hour of the day was that South Germany consisted of two populations moving parallel to each other, without disorder but also almost without intercourse, with clear understanding of rôle and place, and with firm emotional separation.

The German civilians on one side, the occupying army and staff on the other, were separated in the first place by a barrier of language, and then by living quarters, money, stores, ticket windows, eating places, and all the other machinery of life including most railroad trains and public conveyances. The German people used overcrowded streetcars or walked; the soldiers had the camp busses; the Occupation officers and their guests had their own official cars or taxis. I could exchange express checks for Occupation scrip and buy whatever was in the army stores or snack bars, but I could not get

a meal in a German restaurant—sometimes awkward in traveling across country—nor buy supplies of any kind from German stores with American money or scrip, though at certain exchange offices I could change part of my scrip for marks. This line of demarcation for trade was necessary to protect German supplies from the purchasing power of the American dollar in the pockets of enlisted men.

In the three years that had passed since the surrender, the temper of this separation had changed. It was no longer so much a matter of victor and vanquished as of governors and governed; the armed guard as a symbol of unbending compulsion was less in evidence; the necessities of the case were for the most part accepted. The unemotional faces passing each other, bent on hard business and inviting no conversation across boundaries, seldom needed the human exchange: the established relationships did their own talking.

The MG was, relatively speaking, comfortably housed and serviced (as it had to be to keep its personnel, especially its married personnel). Its quarters, in cities like Frankfurt and Munich, which were from fifty to sixty per cent destroyed, had to be requisitioned by military authority at the cost of displacing German families, themselves in straits for shelter. It had to be done—and yet, if the position of dispossessed German citizens was unhappy, the position of the displacing Americans was hardly less so, unless they were of that small minority which took pleasure in rubbing into "the Germans" (as an impersonal total) what "they had brought on themselves." To the normal American in Germany, a certain Stoicism in enduring hardships inseparable from the total catastrophe, and shared to some extent with the Germans, had to be supplemented by a further Stoicism in inflicting hardships, such as the costs of Occupation merely symbolized. In respect to scales and manners of living there could be no brotherhood of man in the outward situation. Whether with or

against our wills, the defeated were at every turn reminded of defeat.

Perhaps the most painful feature of the separation of populations was the difficulty of hospitality, whether from German to American or from American to German. Even in 1948, I found it impossible to entertain in a Service hotel a German university colleague, without special decisions. And if a German citizen were inclined to invite me to a meal, it was, as a rule, quite all right for me to accept, but he was likely to be inhibited—since Germany was rationed—by his own lack of "fit food" for a guest. There were occasions when I would gladly have shared a crust and a cup of water with a German friend, and I knew he was inwardly prevented from allowing me to do so—the invitation could not pass his lips. There were other occasions in which I hesitated to accept, fearing that host and hostess would squander on one guest-meal foods which had cost them long sparing.

Of course, there was another alternative; and the happiest occasion was that in which the situation was openly spoken of on both sides, and the American visitor was asked to "come and share what we have." There were such cases, but, on the whole, social intercourse was a bottleneck, hardly encouraged in 1948 though the tide was turning; and since compulsion had to be a constant factor, relations were easier in proportion as they were impersonal, even quasi-mechanical.

I have dwelt somewhat on these details; the reader will not consider them irrelevant to our theme of education if he recalls that a part, at least, of our effort was to recommend democracy.

The Military Government included in its staff work a "Division of Education and Social Relations." It issued publications of its own, and so some extent aided and guided publi-

cations by Germans. With a group of young German editors sympathetic to the American outlook it put out a daily paper, *Die Neue Zeitung*. Through another German group, it published documents of recent history and translations of books from other lands, including the U.S.A., which might open to German readers literature that had been closed to them for over a decade. This was our natural antidote to the artificial press-and-propaganda control and the artificial barriers to free mental intercourse, which every totalitarian régime sets up. We were not, however, content simply to break down the barriers and let the German mind find its own way to a normal mental diet. We undertook a degree of countercontrol of our own, as our official press and the careful selection of editors for our subsidized publications may indicate. We also required a license for German periodical publications, such as began to spring up in considerable numbers and variety; we set up a few rules limiting criticism of the Occupation, etc. For the most part these new German publications at that moment ran to topics not immediately political—literary, aesthetic, philosophical, historical. I asked a German girl clerking in our Staff hotel what young Germans were reading. She collected for me what, having no German money, I could not buy for myself even if I had known what they were—several current journals favored by students. She pointed out one leading article on *"Die philosophische Auseinandersetzung der Zeit,"* [1] having much to say about Existentialism. Young Germans, she said, were talking a great deal about this—"What is Existentialism?" she asked. On this theme, current France was sharing issues with recent Germany; and all of Western Europe, including

1. This expressive term, *Auseinandersetzung,* has no exact English equivalent. It means reaching an understanding through bringing issues overt and latent into living encounter, coming to a mutual explanation on fundamentals—in the vernacular, a "showdown."

especially Holland, Belgium, and England, were taking lively part in the debate. Germany was becoming acquainted with some of her own intellectual progeny in other lands.

There were, to be sure, books, pamphlets and articles by Germans dealing directly with the catastrophe and its origins —the beginnings of public reflection on the Hitler rise, achievement, débâcle. Publications of this sort which saw the light were under some obvious psychological pressure to accord with the general outlook of the victors; and this, together with the fact that a mature reflection has to take time and distance, may be one reason that such expressions were, as yet, relatively few. Not that there were any large numbers of such works prudentially withheld because of disaccord with the victors, but rather the reverse—that the publication of views *agreeing* with those of the victors would present a hold for suspicion which proud and sensitive authors would shrink from, suspicion of prudential adjustment of thought to situation! Neither their German friends nor the German enemies of the Occupation could feel a complete moral freedom at that moment to express analysis and judgment of recent history.

The Occupation, on the other hand, having to replace a completely shattered social order with a working scheme, and having to build into that scheme, so far as circumstances permitted, its own political and social convictions, was under strong pressure to publish fully and at once the explanation of what it was doing. It was compelled to undertake something like a public education by governmental action.

The principle of this preliminary stage of education was— not learning by doing—but teaching by doing and then explaining what you do. And throughout, the educational work of the Occupation had two aspects—the first negative, endeavoring to uproot and destroy any fragmentary momenta of the Hitler mentality that might be surviving; the second,

affirmative, replacing the Hitler outlook by a working German mentality which could fulfill the specification of the mandate as "peace-loving." Its chosen designation for this revised mentality was "democratic," a term whose meaning we proposed to illustrate rather than define—or illustrate first and define afterward—and which in any case would stand in sufficient contrast to the Hitler ideology.

For the negative side of our task, there was an immediate practical requirement to identify the Hitler-infected personnel and eliminate them from all positions of authority or educational influence—the process of "denazification." There was also the necessity of dealing with war criminals in such way as to define precisely what it was that constituted, not in our eyes alone but in the eyes of an international legality, the evil element in Hitlerism. The work of the Court at Nuremberg was to be at once a public action and an *apologia pro bello nostro*. Remnants of Nazi-dictator structure and of militarism were to be removed from school and society; and through a controlled press-and-school program the German public was to be not only informed as to the meaning of these actions, but invited to share in their motives and to some extent in carrying them out.

For the affirmative side, there was in the nature of the case an initial embarrassment. We were to illustrate the meaning and workability of democracy in Germany by setting up a democratic order. But the order had to be imposed by the conqueror and sustained by military dictation, for there was no other source of order: there was no German government, and the whole momentum of German habit and custom was broken. It was impossible that the MG should be a government *by the people,* however much it was for the people. There had to be an elaborate system of security measures and of "controls," including control of press and schools. For remoulding the educational system, official directives

were issued having the force of law though couched in advisory language.[2] We could indeed explain to the German public that these measures were tentative, and that we were minded to hasten the day for their withdrawal. But the inevitable limp in our practical illustration of democracy threw the greater burden on the skill of our theoretical exposition. It was quite necessary that we should know what we meant by the term *democracy* and be able to make it clear in a German context. Otherwise we ran the risk of creating the impression that we were identifying democracy, rather vaguely, with the American way of life, and were trying to make it grow in Germany without due consideration of the local soil. My impression in 1948 was that we were, in some degree, trying to Americanize the United States Zone—for which aim we had no mandate—rather than to develop a peace-loving Germany, for which the mandate ran.

I propose now to examine separately—though the separation is clearer in idea than in fact—the negative and the positive aspects of our effort as I found them in operation.

2. Quoted and discussed in some detail, pages 133, 135 below.

Part Two

THE NEGATIVE PHASE: CURING HITLERISM

IV

The Nature of the Problem

It is a common feature of the human lot that we know more definitely what we are fighting against than what we are working for. So of our educational effort in Germany: we were there first of all to get rid of something, to wipe out any surviving germs of the fever with which Hitler at one time or another had infected segments of the nation. How radical and ambitious this enterprise was, we hardly knew. Those who supposed the entire nation more or less infected could have been under no illusion as to its ease. Had they been twenty per cent right—which is possible—the task would have been formidable enough. But the chief difficulty lay not so much in its extent as in its nature. What was its nature?

The common name of the virus was Nazism. More accurately, it was Hitlerism. Since Hitler was from the first the working yeast of the new National Socialist Party, the two terms have become synonymous in common use. For our own purposes—both for true history and for just judgment (including the judgment of postwar movements dubbed neo-Nazi)—it is important to make a distinction. Like every political movement hoping to enlist wide support, Nazism wore at first a handsomer cloak than it deserved. The malignant elements in Hitler's mental locker were revealed *as*

party program only by degrees.[1] To gain power, the party had to appeal to far wider groups than the original Munich beer-hall band of anti-Weimar revolutionists could muster, whose weird *putsch* for Bavarian control, November, 1923, sent a slightly wounded Hitler to prison where *Mein Kampf* could be leisurely hatched. "Nazism" as a party label clothed the actual movement, for public flag-purposes, with defensible generalities and even with a fairly respectable ancestry.[2] Like various other *putsch*-bent movements of its day, Nazism denounced the Versailles Treaty *in toto,* together with all "fulfillment"-favoring policies—it was for open breach with the League as well as with the Republic. It was colored from the start with a pronounced pro-Germanic anti-Semitic racism. As an embittered racist nationalism, it could claim no sympathy from us. But stopping short of systematic criminality, national or international, as at first it did, it could have justified on our part no intervening crusade across the ocean.[3] It was not National Socialism as a political prospectus we were fighting. We were fighting the police state together with its tools, the concentration camp and the revived and improved torture chamber, the canceling of hard-won human rights, the mass slaughter of Jews, the systematic lying for

1. Not till November, 1937, did Hitler detail to his closest associates his plans for aggressive war.

2. See Meinecke's comments on Friedrich Naumann's National Socialism, in *The German Catastrophe,* pp. 18, 19.

3. Its first published program appeared with much fanfare in 1920. An English translation is published in a bulky document put out by our State Department in 1943, *National Socialism,* pp. 222–25. This document traces roots of the NSDAP (*Nationalsozialistische Deutsche Arbeiterpartei*) demands on behalf of the German diaspora to organizations like *Volksbund für das Deutschtum im Ausland* (111) whose activity dates from 1886.

It need hardly be remarked that, however great its inherent vanity and potential political folly, this type of hereditary blood-concern is not *per se* criminal, whether found in Germans, Britishers, the Children of Israel, or Descendants of the Pilgrim Fathers.

the public mind with the deliberate cultivation of international hatred, the willingness to use aggressive war and thoroughgoing perfidy as means to national ends—seven deadly sins (kindly count them: seven) against civilization.

It was these distinctive methods, I point out, which enlisted civilization, including ourselves, in the fight; and these methods, pregnant with criminality, were not only invisible in the original party pronouncement, "basing itself on a positive Christianity" [4]—they were not party theory at all. They were not advertised. They were an enlarging arsenal of instruments for realizing the national dream, vaguely foreshadowed in the program. I do not say they were concealed (as plans for Greater-Germany-in-Europe were at first concealed to soothe European diplomats); they were not yet born. The Gestapo—hinge of the whole man-crushing, mind-warping pressure of the system—was set up only in 1934 as a lesson taken over bodily from the archenemy's, Communist-Russia's, Ogpu. Unfolded by degrees as pragmatic necessity-mothered inventions, their utility was unquestionable. They were—one might risk the word—intelligently adapted to serve the great purpose—"intelligently" on one condition: namely, that the users were willing as good political realists to throw overboard all impeding scruples; not some, but all.

One of these scruples in particular was bound to make preliminary trouble—the scruple arising from respect for the human person "as an end in himself," never to be used as "a mere means" to anybody's ends, not even the exalted ends of the great National Being-to-be. The phrase is from Kant—a German. The idea hails from Christianity, source of much historic inconvenience to total-wills. Try this scruple, reader, against each of the seven sins in turn; and see what is left of the scruple if you resolve on the sin, or, conversely, what

4. For further discussion of the program of 1920, see pp. 119 f. below.

is left of the sin if you resolve on the scruple. Clearly, if these methods are to flourish, this particular scruple must go!

Here, then, we locate the verge through which plain *Nazism blossoms into Hitlerism.* This is the line, a mental line, beyond which a party-program, working rebelliously but legally within a national frame, remaining always subject to repudiation by the nation, could breed conspiracy against the national frame itself, and spawn the seven criminal devices for gaining and holding power, defying further reference to "consent."

If this analysis is valid, the essence of Hitlerism was entirely simple. It was a plain extension of a well-known philosophy, the end-justifying-means philosophy (a little hard on pragmatism to call it pragmatic, but that is what it is); an extension into regions where even the proponents of that philosophy incline to call a timorous, irrational halt. Hitlerism was simply this, that with all other scruples *this Christian-Kantian scruple about humanity must also be subordinated to the national cause.*

And since aid was needed for inducing large bodies of normal people, notably value-sensitive youth, to take this hurdle, special educational programs for transvaluing values were called for, and with them a moral exhortation (for Hitlerism never neglected the emotions) running somewhat as follows: Once you have made up your mind to serve the Dream (and its Prophet) at all costs, be hearty about it; choke down the primitive squeamishness in you arising from sympathy, respect, family feeling. There is a new heroism, that of overcoming one's instinctive tenderness, kindness, truth. There is a call for greatness—for there are great wrongs to be righted, the historic occasion is unique: find in yourselves therefore a greatness like that of Nietzsche's hero

who breaks the tables of Mosaic law, and a further greatness, ready to break also the tables of the emasculating law of love.

In this appeal, morality itself loses complication, becomes a unified all-consuming loyalty, such as men—always avid for a pain-filled devotion—everywhere seek.

And if the essence of Hitlerism was thus simple—this is the point of our discussion—*the cure we had to administer must have been correspondingly simple.* We had only to show the error of passing that verge from Nazism into Hitlerism. If Hitler's point of moral difference—shall we say moral genius?—lay in his unprecedented and resolute consistency in subordinating everything, humanity included, to the national Dream, we had only to show that his consistency was folly. Or to put it more violently, that his "point of genius" was a point of madness. Our entire educational objective, then, was to bring people back to sanity.

This, I believe, was all we had to do! Elementary, is it not? I insist on the essential simplicity of the issue. Hitler was one of the *terribles simplificateurs* foreseen by Burckhardt, a cutter of Gordian knots, a breaker-through of cobwebs whether of Disarmament Conferences, League-of-Nations commitments, Treaty promises, humane inhibitions. He was a butcher of compunctions and a defier of God—who is traditionally on the side of the compunction. But God, according to Nietzsche—and many later thinkers, French, English, American—being dead, this required not so much courage as plain consistency. Why, then, do I say that our enterprise of uprooting Hitlerism was "radical and ambitious"?

Because this enterprise, in its nature, lay—not in fields of science where proof of error can be established for all to see; not alone in the field of ethics where if proof is not available

common persuasion can be appealed to; but in the field of morals, of ethics in action, where the problem is no longer one of thinking but of willing. So far as we had a change to make, it was not simply a change of mind; it was a change of heart, a conversion. The difficulty was pointed out to me, years ago when I aspired to teach ethics, by a student: "You cannot *prove,*" he wrote, "that a man ought to love his neighbor; and if you could, *that would not in the least help him to do so!*" (Let any would-be teacher of ethics who hopes at the same time to convey some moral enthusiasm, give this compact comment a second thought.) If the Hitlerite love-of-neighbor were simply nonexistent as a salient political consideration, what educational resources had a Military Occupation for changing its heart?

I do not mean to imply—I refuse to admit—that the problem was not in part one of right thinking. Warfare against a government whose policies rationalize themselves in terms of an ideology must imply a contrary philosophy capable of philosophical defense. We took our war to be a war of principle; and a war of principle unable to give rational defense of its principle would confess a humiliating mental flabbiness. In Hitlerism, on the long-range level, there was mental as well as moral bankruptcy, *quod erat demonstrandum.* If the Kantian scruple about humanity-in-persons as an end in itself should be not a kindly moral sentiment but a necessity; if it were no relatively useful maxim for ordinary bourgeois living, *but a demand lying like an absolute at the heart of our civilization,* it would follow that no public gain, however dazzling, made at the cost of that scruple could be other than a net loss; and that any means discarding that scruple would destroy whatever end they pretended to serve. This is, in fact, the philosophical answer to Hitlerism. It was implied in our concept of sanity; it was implied in the widespread experience, within postwar Germany, of return-

ing to oneself as if waking from a bad dream; of finding oneself at home, not as in a narrower mental house from which one had escaped into Hitler's wide freedom, but as in freedom itself, discovering in the discarded-and-resumed humane scruples "not bonds but wings." It was not much put into words. So far as my observation went, we did not officially (and seldom unofficially) undertake—as a foundation for all our other educational work—to prove Hitler wrong. There were several reasons for this—here needing to be mentioned, for our own enlightenment:

One was that our public principles were, by tradition, in the form of axioms ("We hold these truths to be self-evident"); and a self-evident principle, if there is one, (a) needs no proof, (b) cannot be strengthened by argument, and (c) can be weakened. In matters of profound feeling, argument comes with a suggestion of triviality. Hitler's deviations from human decency became so wide that it was natural to take their wrongness for granted: sanity, after all, is extremely hard to support by dispassionate dialectic. I ask you, brother, are you prepared to prove sanity? Or do you incline to leave it to be recognized without words?

Another reason was of a quite opposite color; namely, that we ourselves had largely ceased to believe in axioms or any other form of absolute, and to this extent our mentality gave Hitler the right of way—he made our philosophy of relativity his own, carried it to the end, and left us only the residue of raging moral resentment devoid of intellectual support. In law, generally, and especially in the international area, general principles are at a discount among us. I refrain from quoting again Mr. Justice Holmes' too-celebrated remark on that point. Has not our great man of rectitude in foreign policy, Secretary Cordell Hull, recently said that the criterion of foreign policy for the United States, as for other

great nations, is and has to be national self-interest? Of course, neither Mr. Hull nor the professors who so cordially agreed with him, would carry this maxim as far as Hitler did. But since it was Hitler's consistency that was his crime, it was hardly on the prevalent argumentative grounds that he could best be met.

Rather than argue, then, we inclined to refer the issue to "the conscience of mankind," a dim voice which mankind has not yet reduced to an unambiguous formula. We let the indignation that spoke through our armies and air forces argue for us. We let the great Defeat speak for itself. We became thoughtful and vocal at one point, at the Court for the trial of war criminals at Nuremberg, where we and our allies tried to crystallize liquid ethical judgments into the form of an international criminal code.

Looking back on our educational effort as a whole, I incline to believe that the Defeat and the Court were our chief agencies of persuasion, deserving to be considered by themselves.

They were, of course, not specifically our work nor the work of the Occupation. They were joint Allied achievements, prior to or independent of whatever our Military Government might further undertake. Neither of these agencies had the education of Germany as its first aim; yet they worked on the minds of the nation continuously, inescapably. For every German they were portentous items of his environment, impersonal, pervasive, speaking from the sufferings of the people.

The Defeat spoke from the scenes of desolation around them, the shattered cities, the destroyed treasures of history and art, the hardened outlook for German youth, the ubiquitous signs of foreign control, the where-away of national pride and glory. The Court spoke not more from its statute,

its code, and its judgments than from the unalterable record of history revealed in its documents.

Neither of these agencies specified what lessons were to be drawn from their existence. Nor did the German public specify what lessons, if any, it was drawing from them. Their total effect, appalling and irresistible, drove the impulse of words, whether for thought or feeling, back into reticence—a reticence which many a dull observer mistook for stolidity or indifference. It was just the reverse.

What their teaching was we have now to consider. And with this question in mind—in my own mind very salient—*what further teaching, if any, was required?*

V

The Defeat and the Court

The Defeat

Defeat itself, as dated event in history, came and went, slipped into the past. It was not there: only its lifeless effects stood about in dumb witness of the desperate will not-to-believe with which its coming had been refused, on one side, of the intensity of resolve with which, on the other, it had been compelled. When a great tree is blown down, its prostrate trunk bears witness to a single moment only, the moment when one force, that of the wind, outbade another force, that of the roots. The felled trunk remains as the continuing tale-bearer of a swiftly-passing dynamic difference, purely factual, an event that was and is no longer there.

There were those in Germany—I met some of them—who took the Defeat that way: it was fact, pure fact. "I accept the situation (said one) as I must: I accept it as showing the present constellation of power in the world, not otherwise."

And it is one of the facts we have to consider that the Defeat could be taken as pure fact, devoid of any personal voice or word or message. Nevertheless, the forces involved in the Defeat, unlike those of the fallen tree, were human as well as ballistic; their military mathematics were wrapped in massive purposes and passions. Like most human doings,

it was a fact with a meaning, asking to be read. By whom? By historians, of course, at leisure; but chiefly by those on whom the event fell, and to whom in a sense it was *addressed!* To be read at once, with the fact, and as part of the fact.

For apart from all words spoken officially by victors to vanquished, the Defeat had its own spirit and intention, like a vast unshaped word uttered by the occasion itself, and by the fury-filled circumstances of the war-end. In the call for unconditional surrender, a desperate demand calling out desperate resistance, in the unbridled, extra-military city-smashing under "Bomber Harris" and others, there spoke a passionate intention to convey a message for all time to come. Could this intention be put into common speech? Perhaps so, by contrast with an earlier occasion.

I have called to mind the message addressed, according to the saga, by King Olaf to the people of a slain Norse chieftain, "Be baptized, or given up to slaughter!" "Baptized!"—ye gods: a momentary act, to be submitted to with the most Christian motive of saving one's neck, but with what freight of futurity in it! Defeat and conversion neatly rolled into one package by aid of a bloody threat! This present Defeat had no such word to the German people. There was no menace of death, and there was also no man-changing sacrament opening an immediate future of hope. They were facing law, not an invitation to faith. There *was* no victor's faith that change of heart was possible in the premisses: the losers must taste deep and long the flavor of their sin; they were not to consider themselves liberated but conquered; our intention, in brief, was *punishment*. So far as the Defeat had an emotional language, it was the emotion of retribution.

Retribution, alone, has no word for the future, except that the past shall not be forgotten. But punishment need not be

purely retributive: it may intend to teach for the future through suffering deliberately applied. In this case, the intent to punish contains an element of unscheduled education, addressed to the moral man. We must give some thought to the purport and value of this kind of teaching.

As lesson-bearer, undertaking to teach by suffering, the Defeat had one great advantage, that of impersonality. It was like the Tao-filled wise man of Lao Tze, "conveying by silence his instruction." Like a natural disaster, it came at first without personal pointings and distinctions, resting on all alike [1] and creating within a common experience of catastrophe a certain solidarity of suffering, nation-wide.

It had at the same time, and as the obverse of the same community of experience, a great disadvantage—that of indiscriminacy. Resting on the entire nation, sweeping into its net men, women, children—Hitlerite, non-Hitlerite, anti-Hitlerite—all generations present and reaching out to generations still unborn—its natural-disaster aspect tended to blunt the accent of moral reproach. It could seem even to deny any punishment-meaning, since punishment is nothing without justice, and wholesale calamity can never be just—unless, indeed, there is such a thing as national wrongdoing, calling for national expiatory suffering.

There was among us a body of opinion which held that this total blasting was as it should be; that the collective woe was appropriate to a collective responsibility and guilt. There were also those who considered that "unto the third and fourth generation" is still a good rule, for which high authority could be quoted. I reject both of these views, while recognizing that there is a sense in which no one can participate in national existence, democratic or otherwise, with-

1. I am not forgetting that the victorious armies came with lists of individual criminals, whom they proceeded summarily to arrest. See the chapter on denazification, p. 65 below.

out becoming implicated in governmental corruptions in which he may have no glimmer of conscious individual involvement. There can be no political society without the Roman maxim, *qui sentit commodum sentire debet et onus,*[2] including with other burdens the moral burden.

Granting to this idea of the mutuality of all public sin whatever force it may have—no one has given it more searching statement than Reinhold Niebuhr—it is clear that citizens whose complicity in governmental crime is purely of the non-conscious, technical-inherence order are not the ones for whom a moral reorientation through punishment is required. Such reorientation could only be a nation-wide need if the entire nation shared in the Hitler-obsession, with at least passive acquiescence in the criminal methods of Hitlerism.

It is hard to believe that any mature person, not under the sway of passion, could seriously hold the view of total Hitler-obsession for the German nation. Yet it has been professed; and it will not be amiss to point out that any such opinion was necessarily *a priori.* It had, and could have, no factual data as its basis. On the contrary, it could be held only by ignoring certain salient facts, such as these: that the first million who went into concentration camps were for the most part Germans of German stock; [3] that there were two determined attempts to kill Hitler; that there was a persistent and heroic underground. The existence and growth of the Gestapo is sufficient evidence that anti-Hitlerism (as well as non-Hitlerism) was a fact Hitler had increasingly to reckon with.

2. *Coke* 1, 99.

3. Political opponents of National Socialism, such as leaders of the Social Democratic Party, suppressed by Hitler in 1933. "Persecution, exile, the concentration camp and death were the lot of many a militant Social Democrat who did not make his peace with the new ruler." *HICOG,* pub. 1952, June 1, p. 3d.

In what proportion the German people were pro- or anti-Hitler became a question of first-rate importance for the Allied administrator, who obviously could not administer Germany without non-Hitlerite German aid. We shall meet this question in full force when we consider denazification. It is sufficiently clear that the German people were never as a whole committed to Hitlerism. If the body of the nation appeared to "go along," it was in part because in the newly devised system of police-state traps it hardly knew how to escape, in part also because, after Germany was at war, any blow against the government became a blow favoring the nation's enemy.[4] There was a widespread guilt-by-default—non-heroism, non-suicide—especially after a multitude of heroic resisters and denouncers had been snuffed out in silence and blank futility. In any land, the vote for known and hence possibly effective martyrdom will be higher than the vote for muffled, anonymous extinguishment. Even so, the state of mind of non-heroic, inwardly rebellious acquiescence is not a state of mind requiring to be cured of Hitlerism! It is ready at a nod to strike out for freedom. Those, then, on whom the blow of Defeat fell were far more numerous than those who needed "the lesson of Defeat."

But for those who needed it, what was the lesson? Was it single and umambiguous? Was Defeat a refutation of Hitlerism?

The bare fact of Defeat was disillusioning. For a violent anti-morality whose sole recommendation was to have been its success in a great cause, Defeat must shake the first premisses. Non-success was a failure in Hitler's grasp of realities, his point of pride. He omitted, among other things, to reckon with the material energies which moral indignation can beget.

4. Dr. Arnold Brecht, who called my attention to this point, noted also that the war period was the period of greatest atrocities.

Among the millions who sensed with the fact of Defeat its angered intent, one cannot doubt that there were multitudes who felt an inkling of its justice. This inkling, a reassertion of conscience, was itself the beginning of a recovered moral perspective—sanity we have called it—a recovery at once welcome and unwelcome. Welcome, as regaining continuity with a prior self, less effortful and more real. Unwelcome, as allowing an element of rightness in the enemy, and facing an unmeasurable hardness in the world's judgment and the national lot. Through this unhappy, but clearing, twilight of passage millions of Germans groped their way. And their pilgrimage, unrecorded, unrecordable, may well have been (as I believe it was) the most significant inner transition of the post-Defeat hours and months.

It remained open to any German to refuse to read any such intent. There were those, also unnumbered, who took the fact of Defeat, as from the outset we saw it could be taken, as voiceless power constellation. By this fact one need not be convinced of his own error nor of Hitler's. He had opened before him the whole vista of historical review: where did we make our mistake? what change in strategy or personnel would have altered the outcome? What others saw as reversion to sanity, he could regard as disloyalty to the Dream, now driven to incalculable distance, but not to be dismissed unless life went with it. Unless conscience could put in its pain-carrying comment that mankind had a case, temporarily in the hands of the enemy, Defeat need carry no lesson except the pragmatic lesson: We must plan better another time.

Now we Americans were not prepared nor disposed to enter into the pragmatic argument. Pragmatists at home we might be; but here we saw the issue as one not of means but of ends, not as technical but as moral. And that was our dilemma. If what we had to do was to bring about a moral

reorientation, we were wholly without precedent or natural resource. Those who were taught by Defeat we had no need to teach. It was just those to whom Defeat taught no lesson (and who most clearly needed the lesson) to whom we had nothing to say! Punishment? It is only the good man who can be punished. For the thoroughly hardened soul, what we intend as punishment is nothing of the sort, but merely one misfortune the more! What then could we do with those who alone needed our teaching? Not being able or willing to resort to the methods of mortal purge, terrorism, lying propaganda, we would have to bring about a moral rebirth. Our Occupation was not equipped to re-bear a single German.

I have said that our task was difficult, radical and ambitious. That puts the matter too mildly. The task was impossible. What Defeat could do, we need not do; what Defeat could not do, we also could not do.

I repeat: What the Defeat could not do, we also could not do. This simple statement calls for another look at our whole project of re-education, the forces which were actually operative in the momentous upswing of the last eight years as compared with the forces intended by us to be operative.

Since it lies in the nature of a moral problem that it has to be dealt with by the moral subject himself, there was in fact little that we or any other outside power could do about it. The best hope was—I think the only hope—that the task *did not need to be done by us,* and in large measure did not need to be done at all.

I do not make this seemingly preposterous suggestion at this point as a categorical statement: I raise it as a question —Did the task of moral regeneration in Germany require to be done? Consider once more the dilemma. If the moral sense of the German people were alive, they would themselves be at work on their own problem in the light of whatever new

data, including the Defeat, the course of history was providing. If that moral sense were not alive, the Occupation had no remedy—literally none.

I ask the reader to keep this question in mind as we review the several phases of our gigantic effort in Germany, the work of the Court, the work of denazification, the affirmative efforts at teaching democracy and the democratic reshaping of the German educational scheme, until we have in hand material for our final judgment.[5]

Meanwhile I may present certain observations which led me to think that the level of German thinking following the Defeat was propitious for the German future.

My observations in and out of Germany, during the war as well as after it, led me to believe that Hitler's whole titanic swing-away from civilized practice was *never well domesticated* in the German public. Its phenomenal swiftness was incompatible with firm rootage. In spite of an astonishingly effective discipline in forming a Hitler-youth generation, even in the groups earliest and longest trained there were the marks of artifice and strain. In the forced draught away from customary ties and compunctions to Führer dominance-in-emotion, there was, as there had to be, a subconscious build-up of repressed protest. As evidence, the vehemence with which the acquired Hitler-centered personality tried to maintain its position when challenged, the harshness, sometimes savagery, with which youthful Nazi prisoners of war held an orthodox line against wavering comrades, confessed the psychological strain under which they labored. The effort to maintain Hitler-loyalty in others was part of an effort to maintain it in oneself, against the pull-to-sanity threatening to replace it, actually replacing it in some half of our younger POWs. Outside the military and party cadres, the motives for resisting the recovery of perspective were far less

5. See p. 105 below.

stringent; the startling succession of public disasters and revelations could more readily result in reinstating the protesting self in its due position of control.

The essential change had taken place, I do not doubt, in many minds, long before its external acknowledgment was forthcoming. There was a labor of self-understanding to be carried through. In any case, during the early years of the Occupation the German mind everywhere, no matter how much or how little it had been involved in the policies of Hitler, was seriously engaged with its own moral problem and that of the nation; and the level of this thinking was high, it was original in impulse, no echo of outer suggestion. Of its own motion—independent of our efforts—it was recovering its rapport with the spirit of Western life.

There were those, as we have said, to whom the Defeat failed to convey its intended word, and on whom we also made no impression. We shall note in what follows certain reasons for these failures. For the present I have only to report that they were and have remained a small minority. It is worth while to say this, because they seemed to grow! They naturally found their way to kindred minds, strengthened one another in the Hitler faith or some revision of it, and waited the moment when they could show their hand. With increasing German autonomy, and especially when with the prolonging of Occupation the foreign régime declined in prestige, their visibility and audibility increased, giving some observers a false impression of growing strength. It was well that they should give themselves full swing, and be taken care of—not by us—but by the German people.[6]

6. As they reach the point of making new party formations, two things are to be noted: (a) the absence or muting of the specific Hitlerite criminalities, (b) the prompt concern of the German administrations. Note the case of *Sozialistische Reichspartei,* tried by German authority and convicted of *Verfassungswidrigkeit,* July, 1952.

My judgment stands that *to most Germans who had lent a tentative ear to Hitlerism, the defeat alone was sufficient* to reanimate the latent normal selfhood. While this judgment has to be my own impression, it is not on that account purely subjective. One verifiable test of public feeling was its attitude toward the work of the Nuremberg Court. To this we now attend.

The Court

The work of the Court at Nuremberg was, in one of its aspects, a work of good faith toward the purpose of our military campaign. I have called it *apologia pro bello nostro,* as undertaking to define, in terms of universal law, those aspects of Hitlerism which could justly be called criminal. If the Defeat rested on the entire German nation with an indiscriminate punitive gravamen, continued by the early years of the Occupation and symbolized in personal attitudes by the non-fraternization rule, the Court, by concentrating attention on specific types of crime and on individual criminals, focused the notions both of crime and of punishment. To no small degree, it "drew the lightning," relieving the nation as a whole from a burden whose injustice I have undertaken to show. As Mr. Justice Jackson said in his speech of indictment of the major war criminals, "We want to make it clear that we do not intend to accuse the whole German people. . . . The Germans—as much as the outside world—have an account to settle with the defendants."

The attempt to bring the notion of war crime from the region of political emotion and oratory into the area of legal exactitude had its perils. The word *crime* had been freely and loosely used in Allied public appeals. In 1941 and 1943,

Mr. Churchill had said that the punishment of Nazi war criminals was now "a major purpose of the war." After the Casablanca Conference of 1943, President Roosevelt appears to have become the prime mover in bringing this purpose to effect. It was at this Conference that he proposed the policy of unconditional surrender and received the very hesitant acquiescence of Mr. Churchill. At the Yalta Conference, February, 1945, the "inflexible purpose to bring all war criminals to just and swift punishment" was confirmed. In August of that year, the Charter of the Court for war-crimes trials was made public in London.[7] While the object of the Court proceedings was primarily to do particular justice, and at the same time to bring into actual effect a criminal-law chapter of international law, it was also concerned to inform the German people of segments of their own recent history on ground of which amended political procedures could be concretely recommended. It had to this extent a definite educational mission.

In order to achieve any such effect, however, the Court had first to win standing in the German mind. If its judgments were not to be considered partisan judgments of the victors upon the vanquished, its standards, its personnel, and its proceedings must gain German confidence. To this end it would have been helpful if, from the first, German jurists could have been associated with its work: unless the German conscience were party to the condemnation of these crimes,

7. Great Britain was again carried forward rather against its more prudent judgment. Through Sir Alexander Cadogan, it had in April presented to President Roosevelt (via Judge Rosenman) an *aide-mémoire,* indicating in some detail embarrassments which would be likely to attend any such systematic punitive effort. But our government had already been working out a plan for the trials, and in June Britain "accepted in principle the United States draft." Thus, while the Court was in form the deed of the four Powers, it was in its promoting energy peculiarly an American project.

the meaning of the Court's work to the German public was lost. This association was not officially provided; and there were reasons for the omission drawn from experiences after the First World War. It is all the more impressive that there were German jurists who voluntarily assumed the burden—not an easy one—of endorsing, as for the nation, the general procedure and competence of the Court.

In the early months of its sessions, though its proceedings were not adequately reported in the German press, the public—with a natural interest in the personal fate of the defendants especially in the first trial—followed the work of the Court with an intelligent concern. In the journals of opinion (which soon appeared in spite of enormous publishing difficulties) there was informed comment on the Court's legal position. Without here entering into technical detail, it was well understood that the Court's statute was a novelty; that its position in international law was not above discussion; that some of the legal principles used were formulated *de novo* for or by the Court; and that—especially in respect to the definitions of and penalties for war crimes, crimes against humanity, etc.—they were in a strict sense new law, *ex post facto* in relation to the deeds there being judged. In respect to these matters, the speech of President Ehard before the *Juristentagung* above referred to (June 2, 1948) gave excellent expression not only to the legal but to the prevailing public attitude as well. The details of the law here used, he argued, were technically new law but the general principles behind them could be regarded as an international "common law" needing no statutory formulation and hence not obnoxious to the precept *nullum crimen sine lege;* whoever attempts to establish a precedent must do something for the first time; the test of the law here used will be its future general acceptance and application; the German people (and legal profession) wish to co-operate in the building of the new

chapter. These comments were critical, judicious, and definitely not hostile.

The Military Government took the initiative in reporting the work of the Court to the German people. It authorized the publication of two books: *Staat und Moral,* a German version of the three speeches of prosecuting attorney Mr. Justice Jackson,[8] and a little later *Das Urteil von Nürnberg,* a German translation of the Court's judgment.[9] Here a deed of the late Professor Gustav Radbruch, dean of German jurists (then recently restored to his chair at Heidelberg after being under Nazi ban), deserves special note. For the book *Staat und Moral* he wrote a Foreword vouching for the competence of the Court's personnel and for the general validity of the canons of evidence there used. He called on the German people to remember that these were "our own leaders" of yesterday and—in view of a human tendency to shift the blame—appealed to them to face *"die schmerzende, aber heilende Wahrheit,"* the painful but healing truth. If only for this deed of courage, justice, and reconciliation, the name of Radbruch must be held in high honor.

What happened to these books?

Were they bought and read by the German public? The edition of both books was sold out, and it was not a small edition,—two hundred thousand of each. If anyone asks whether the German public was disaffected from or indifferent to the work of the Nuremberg Court, these are the indications that count.

(Among the afflictions which the German public had to endure during the first years of recovery was the pest of reportorial investigators seeking "signs of remorse." It is hard to say just what they were expecting to find—whether some modern version of sackcloth and ashes, or at least a prevalent

8. By Nymphenburger Verlagshandlung, Munich, 1946.
9. By Arbeitsgemeinschaft "Das Licht," Baden-Baden, 1946.

physiognomy of contrition. In any case, not finding it, they raised the question whether Germany was being sufficiently punished! They could not understand that the only "sign" that could concern us was the sign that serious thinking was going on.)

The highest success that the Court could achieve, as a factor of mental transition in Germany, was that its work should be widely, seriously, open-mindedly thought about; how else can a deep-going emotional crisis reach its settlement except through long-continued labor of thought? The most pertinent aids that an occupying power could give in this process were (1) the supply of grist for reflection, as in the publications mentioned above, and (2) the creation of forums for open discussion of relevant issues. It is vastly to the credit of the Occupation that such an event as the *Juristentagung* of June, 1948, was set up and carried through in the spirit of its invitation, with explicit attention to the sensitive issues of the Nuremberg Court.[10]

Our present concern with this *Tagung* is less for its own debate than for its temper, and for the way in which it reflected, and to some extent revealed, the current thinking of

10. Judge Leo M. Goodman, who carried the load of these arrangements and was largely responsible for the notable morale of the occasion, tells me that there had been two earlier conferences of jurists during the Occupation, one at Wiesbaden in 1946, on the initiative of the Minister of Justice of Greater Hesse, and one at Bad Godesberg in 1947, on the initiative of the Central Office of Justice for the British Zone. These meetings took the place of an annual *Deutscher Juristentag* which had been held prior to the War by a permanent registered association of jurists. After being discontinued during the war, the association was re-established in 1949 and has since been holding annual interzonal meetings. The Munich meeting, called at the instance of the then Bavarian Minister of Justice, was the first to be held in Bavaria and was certainly unique in its extensive concern with the work of the Nuremberg Court.

Germany on the Court. Among the three hundred German jurists there present, with a sprinkling of American participants and a full gallery of university students, the feeling existed that candor was in order, and that accordingly an actual meeting of minds was taking place. The German speeches on this theme appeared to me clear, frank, direct, able, and with one exception free from the note of complaint. Professor Aloys Wenzl, Rektor of the University, spoke of the general relation of ethics to positive law in a vein which reaffirmed the prior position of human rights, substantially as in the *Bürgerliche Gesetzbuch,* the Civil Code, of 1896–1900. The address of President Hans Ehard, above mentioned, was made from the standpoint of strict law, not—as he explained—for the sake of challenging the prestige of the Nuremberg Court but from the desire "which the German bar quite generally feels" that the important work of the Court shall be built on a firm and lasting basis. To this end, he raised two questions: To what extent is the law applied by the Court "new law"? To what extent is it universal law, applicable alike to all nations in all circumstances? It was necessary to raise these questions: he did so with dignity, force, and good will. I have referred to his discussion of the first question. His second would be present widely in German minds, and I shall comment on it.

I do so, in part, because young Germany, in the person of some five hundred students, was there, making its sentiments manifest in the foot-noisy fashion of German students, having occasionally to be called to order by the chair, and representing more or less roughly the attitudes of the German public. Judging by their audible responses, they were taking no exception to the thesis that there had been crimes; that punishment was due from any point of view, German or other; and that the Court was acting with reasonable regard for evidence and justice, allowing for its pioneering circum-

stances. They were in no sense "making heroes of the defendants," as an American speaker, Mr. Charles M. LaFollette, American Director of Württemberg-Baden, implied was the case with some in his jurisdiction. LaFollette's implied accusation was courteously and briefly challenged by two speeches from the floor and one by the chairman. No one was championing these defendants, but there was a latent question whether there might not be others equally try-worthy. This question appeared also to be in the minds of the students. It was Ehard's second question—Is this new legality to be universal? Is it to be applicable as well to the behavior of fellow-nationals of persons now sitting in the judge's bench? They had in mind in particular some aspects of the Soviet's conduct of war, and some of our own. What were those aspects?

From much conversation with Germans away from listening ears, I can record—among a multitude of items of unrecorded history—two events which persistently came forward, as weighing heavily on minds trying to see all sides: the destruction of Dresden, and the rape of Berlin.

On the afternoon and night of March 13, 1945, British and American air forces bombed the unfortified city of Dresden, at that time a place of refuge for thousands of civilians from the surrounding country. The normal population of perhaps 650,000 was swollen to upward of a million, crowding the city's parks and open spaces. The bombing was without military justification; the Russian forces were closing in without effective opposition. No one knows nor will ever know how many were killed. Estimates of that shifting and obliterated situation vary within wide limits. The best estimate I can build is that between one and two hundred thousand civilians and refugees were destroyed together with the city—more than at Hiroshima and Nagasaki combined. It was perhaps

the most extensive intentional bashing-out of noncombatant humanity in history—and the most meaningless.

And then Berlin. After the final collapse of German resistance, there was a lurid week in which the bestialities inflicted by Hitler's armies in Russia were repaid in kind by the Soviet entering forces, and with an enthusiasm of hatred and will-to-degrade which leaves no impression of the moral superiority of the arriving victors.

The question left by these events is not a *tu quoque* move for self-justification; Germans who cited them to me were not as a rule running to shelter behind the turpitude of others. Some did. Most of them were quietly raising the question which is our question as well as theirs—and a question for any such court as Nuremberg—how to set up a post-war justice which should deal evenhandedly with the deeds of all belligerents, showing the same zeal in all directions for the recovery of precise history. And the further question, can we begin building a new world order on a type of justice unwilling to swing its searchlight through the full circle? These questions were wholly relevant to the education in political righteousness we were hoping to effect. Were they not?

There were other questions in thoughtful German minds which probed more deeply into the background of meaning of the Nuremberg trials, *without challenging their outcome* —questions, for example, of the conceptions of crime applied by the Court, [11] or of the view of German history given, as

11. For example, the absence of a generally usable concept of "aggression," an essential basis for any discussion of the first category of war crimes, "crimes against peace." In the London Conference of June, 1945, in which the definition of aggression was discussed at length, the definition adopted was deliberately phrased so as to prevent a German reply showing substantial prior aggression from the other side. As Mr. Justice Jackson said (July 19), "The point is that we take the actual

presumption of cause, in the introduction of the judgment in the first trial [12]—questions which these Germans were seldom, in conversation, disposed to press. They were reluctant, I gathered, not because these problems were less deeply felt but because the issues were complex, and especially because they realized that a completely non-German panel of judges could never gain what justice required—an intuitive sense of the spirit of recent German history.

To reach a fair summary estimate of the influence of the Nuremberg trials on the German public, it is reasonable to attend, as we are here doing, chiefly to the early months of their progress. Then interest was alive, the main questions of principle were raised, the main possibilities of attitude were canvassed, the main decisions mental and moral were reached. The trials dragged on. The more dramatic cases were disposed of, and public interest flagged. The "inflexible purpose to bring all war criminals to just and swift punishment" necessarily failed in respect to swiftness; the work was too vast for the limited human resources available, and to be just is sometimes—I think usually—incompatible with

attack . . . as constituting the aggression, and we cut off arguments that there wasn't an 'attack' because invasion really was in defence against political or economic measures." A trial rigged in advance to "cut off arguments" for the defense is not a fair trial.

12. Section 2 of the Judgment of September 30 and October 1, 1946, is devoted to a sketch of the origin and aims of the Nazi régime. It quotes five points from the party manifesto of February, 1920, and declares their meaning as pointing to the events of 1933–39, in their full iniquity. It allows, therefore, no point of validity in the original program; no just ground of objection to the Versailles Treaty; no justice in any undertaking of the party, such as terminating the indefensible French policing of the Rhineland, which needed to be done. This rehearsal of the Judgment, under the guise of an historical summary, has been criticized by British writers as biased. The word is too gentle: the account is not "biased," it is false. It is not history; it is prejudgment. I shall go into this matter at greater length in due course: see p. 201*n.* below.

being swift. Some of our people were disturbed because the Court's work had reverted to the background of German awareness. It was no longer front-page news; but this was quite to be expected. Everyone knew that the Court was at work, that a dozen trials would be carefully labored through, and that full copies of the proceedings would be deposited in several world centers. Eyes with special concerns and knowledges would be bent on the details of process. Articles, pamphlets, books would be published on debatable points—such as *Warum wurde Krupp verurteilt?* or the considerable literature on the lot of Baron Ernst von Weizsaecker. But the essential thing is that Germany, having passed the period of initial excitement, continued quietly its highly competent and responsible level of thinking.

What mental and moral decisions, then, were being reached? I can offer my belief on this point. Germany was in substance *with* the work of the Court on the main issue: it agreed with Attorney Jackson's original point that it, too, had a case against the defendants. It need not close its eyes to great gaps in the Court's armor in order to accept the necessity of an official denunciation, in the name of mankind, of the criminal developments of Hitlerism. This broad consent to the Court's work was the consent, not in particular of legal Germany, but of moral Germany. Germany was not converted by the Court's actions to a new moral status; it was aroused by the Court's revelations to a new sense of moral peril in political *laissez faire*. It was encouraged to recognize and fight the beginnings of damnable evil; it was fortified in the fundamental honesties of its moral inheritance.[13]

13. It is well to remember that American conceptions of what is honorable and not-honorable in warfare—conceptions which have found

And this was wholly compatible with a certain despair of complete human justice which must be the companion of every sensitive and detailed study of recent history. The Court, as the fruit of a sanguine aspiration for which, as I have noted, American insistence was largely responsible, had itself to unlearn much of the black-and-white animus with which its great task was launched. The large lines of the drawing remained, much as Radbruch drew them in his Foreword:

> Many a juristic doubt which could be urged against the legal foundations of this process must retreat (to secondary place) in view of the great legal advance there heralded. A double development of international law is there taking place: it is to be an order which binds not alone the states as such but also statesmen and citizens; and these obligations are to be guaranteed by a code of sanctions to be newly created. . . .[14]

One might fairly say, I think, that Germany in 1948 and later was taking the work of the Court with a moral maturity from which we have still to learn. With an undercurrent of sadness, realizing that the picture of depravity emphasized in the proceedings would unduly color the connotation of Germany in the minds of many, and that in human affairs there is no complete justice, Germany was clear in associating itself in all substantial matters with the Court's condemnation. And in view of this, I may repeat my judg-

their way into the Geneva Conventions—were formulated by a German. In 1863, at the request of President Lincoln, a new General Order 100, "for the conduct of Government Armies of the United States in the Field" was drawn up by Francis Lieber, a German who came to this country in 1827, became a citizen, and taught in South Carolina College and at Columbia College in New York. His code was widely used by subsequent writers in Europe and America, and was "reprinted and issued to the army during the recent war with Spain." Lewis R. Harley, *Francis Lieber* (Columbia University Press, 1899), pp. 93, 154.

14. *Staat und Moral*, p. 5.

ment that Hitlerism had already ceased to be a danger to which Germany as a whole was liable.

There were those whose antipathy to the Court was pronounced and vocal and whose views, reaching the stage of print, could suggest a revival of the Nazi outlook. When, a short time ago, press restrictions were removed and there appeared a spate of publications hostile to Court and Occupation, they were greeted by nervous American journalists as evidence of "resurgent Hitlerism." Most of them swiftly withered away for lack of patronage, and of paper. The importance of the phenomenon was considerable; but it was not what Drew Middleton and others implied. It was that now the lid was removed, and everything could be openly said; and *not the authorities, but the German public itself,* could now settle its accounts with them. This was an essential stage on the way to full freedom of the press and of public discussion. With the further withdrawal of the Military Government's hand, even more explosive types of Nazi-like sentiment will appear. The prevalent sober and reserved acceptance of the Court's undertaking may even urge the dissenting voices to more strident utterance. Our question is, not what symptoms appear, but how the German public receives and deals with them. And the German public, on this issue, has long since made up its mind, in accord with its essential character.

VI

Denazification

The word *education* carries a hint of personal agency and purpose: in its offing is the shadow of an educator, who knows and knows he knows, and who has a plan of conscious action. But there is an educating which takes place without set plan, and which may be the more effective because of the absence of the educating Ego. In a period of national disaster, it is likely to be the silent, impersonal factors of mental change which do the heavy work. It is for this reason that I have dwelt on the Defeat and the Court. They were not deeds of the American Occupation specifically; they were pervasive facts which spoke incessantly in their own language—an essentially silent language [1]—the implemented resolve of an aroused outer world.

This resolve, and the condemnation it implied, could not, as an alien and hostile judgment, be of itself conclusive to

1. Was the Court silent? Its own verbal proceedings ran to millions of words. The trials were open, yet "the public" found it hard to get in (in so far as it was disposed to get in) for obvious reasons—military precautions were still necessary. Little was reported in the German press; after the first trial of the war-criminal docket the trickle of news ran nearly dry. Official reports could be seen by properly accredited persons, but in 1948 they had not yet been placed in the law libraries of the German universities where their educative mission would seem to be most pertinent. To the German public, Nuremberg was a silent Fact seldom in the news; busily building as if under water a coral reef of argument, to serve Germans and others as a well-based segment of history.

any German mind. But the inescapable presence of its symbols stirred every German mind to reach a free decision whether or not the alien judgment was just, or in how far it was just. If there were to be any mental change whatever, it had to take place in the thinking processes of German people. It was the free thinking processes stirred by Defeat and Court—unhurried, unobserved, profoundly passion-filled—that chiefly effected whatever change took place. They were the persistent Backdrop to the stage of our specific activities, of which, on the negative side, denazification was certainly the most remarkable.

As a surgical operation carried out on the German public, denazification showed in a conspicuous way the mind of America in action and, while not purely educational in aim, strongly affected all of our educational work. It was an operation that we proposed to do thoroughly, justly, and scientifically.

German People Classed for Denazification (a priori)

Denazifying, present from the beginning, could not be literally the first concern of our Occupation. We had first of all to keep Germany alive. We had to provide subsistence and a rough public order for a people whose inner workings, as an incident of the unconditional surrender we required, were a chaos through the collapse of government, the precipitate flight of many leading officers, the imprisonment or interning of hundreds of others as implicated in war crimes. We had to improvise a civil administration out of miscellaneous materials—German materials—under an authoritative direction of our own such as the shattered community could not at first provide—so we believed. But the German materials had to be there (for one thing, few of our people could

talk German): we had assumed—we had to assume—that the Allied destruction of the Nazi strangle hold on the nation would release pent-up forces favorable to, available for, and, with our help, sufficient for, a completely new beginning. Completely new? Then, from the very outset we had to denazify, or at least un-nazify: we had to avoid using Hitlerite materials if we could by any means identify them.

This double necessity, to use German resources and to avoid Hitlerites, implied that we already had—as our forces entered Germany, and the resistance, sharpened in its desperation by our unconditional surrender clause, slowly crumbled in the ashes of many a fair city—that we already had, officially, a mental picture of the inner diversity of the German population—diverse in their attitudes toward Hitlerism. In this mental picture there were five discernible groups or classes.

There were (1) members of the Nazi Party and its branches—the active Hitlerites and certain members of the German Army; there were (2) the active collaborators and helpers, contributors to the Hitler program; there were (3) those who "went along" with the Hitler régime, more or less passively but acquiescent—the "followers." On the other hand, there would be (4) a considerable morally-strained mass of citizens, antagonistic at heart to Hitlerism but finding no way to make effective front against it; and finally (5) the Underground, devoted, heroic, frequently suffering the fate of martyrs without the martyr's consolation of outside knowledge and sympathy, and therefore without the effectiveness of sacrifice which has sustained the suffering of many a martyr in earlier, less barbarous days.

This mental classification proved to be all-important for the fortunes of our denazifying enterprise. It required no special knowledge to draw it up. The first four of these five classes, we might say, *had to exist*. The sketch could thus be

drawn in the dark, *a priori*. But of the extent and proportion of these classes—intensely fateful question—no one could know anything *a priori*. Nothing without *ad hoc* information. Some such information we certainly had. We were well-informed about the Army and the Party—official Party lists found in Munich had given us a fairly complete story of the Party membership and its affiliations. As for the Underground, while in the nature of the case it lived in the dark, it had found devious channels of restricted communication with the outside world. Our Intelligence agencies knew of it. Of the other classes, however, our knowledge was spotty, a modicum of fact mingled with much surmise.

Yet evidently it was on the proportionate extent and disposition of these classes that the success or failure of our enterprise had to rest. Class (2), the collaborators, we were intending to shunt out, with class (1), from all influence in the new order. This, in the rough, was what we meant by denazification. Class (3), the go-alongers, deserved some rebuke, but with careful sifting might be utilized in part. Class (4) was our main reliance for the régime to be built—the repressed, chiefly silent, but at heart anti-Hitlerite body of the German people. But to rely on class (4) was to rely on a group about whose existence some of our official family were in doubt. The thesis of collective national guilt was abroad. And was it not General Eisenhower who had said that we had come "as conquerors, not as liberators" and had accordingly forbidden "fraternization"? If there were a repressed group (and the existence of the Gestapo and the concentration camps seemed to prove its existence) our arrival must have been their liberation; if we could not liberate, we had nothing to build with! And as for class (2), the collaborators, how could we eliminate them from our new structure unless there were a class (4) to replace them? The whole plan of denazification depended on the answer. If class (4)

were nonexistent we were lost as builders. If class (2) proved to be of major extent, we would have on hand a large group of demoted and shamed persons of ability for whom we had no suitable place or occupation; and, further, we might, by disqualifying them, empty our executive places of experience and capacity too far for efficiency. We did not at the outset foresee radical difficulty at this point. In any case, we had no option but to take the risk.

Denazification as Purge, and What To Do with the Purged

For denazification was, in a practical sense, simply a prolongation and completion of our war effort. It was the logic of our war objective carried through into the civilian population. Or, to put it conversely, our war effort could be described broadly as an attempt to denazify the German nation. In this respect it had from the beginning departed from the traditional concept of war. According to this tradition, the objective of war is to destroy the enemy's armed forces, or bring them to surrender. In World War II, our objective was quite as much to destroy the Nazi Party choke-grip on the German people as to defeat their armies. In this respect it followed the trend of the total-war concept, in which the civilian population is inextricably involved. Accordingly, as our forces moved into Germany, our Army's Counter Intelligence Corps proceeded instantly to the summary arrest, in large numbers, of listed persons including, with Party officials and appointees in government, functionaries in affiliated organizations. This procedure was covered by a directive which indicated that such persons were a threat to the security of American troops: they might, if left at large behind the advancing lines, be centers of sabotage and resistance or of armed revolt. The actual work of denazification was thus

begun under Army auspices well before the Occupation was established, and—perhaps unfortunately—it continued for some months after the Occupation had set up its own processes, bringing about no little confusion as to the location of top authority for decisions reached.

The German population anticipated our intentions toward the Party, its governmental creatures and its associates. Official members of the Party identified themselves in considerable numbers by trying to escape; others held to their places and awaited the mandatory arrest; still others turned coat as collapse appeared inevitable and tried to run up a credit account against their debits by informing or acting as saboteurs of the Nazi interests. Our difficulties in identification were mainly with the second group, those who had in some way contributed to or actively aided the Hitler program.

Their numbers proved to be far beyond our anticipation. It belonged to the nature of the Hitler enterprise to entangle as many as possible of the men of ability and influence in some form of contribution to its wide-branching political, social, industrial, commercial, publishing, educational (and so on) activities. The able citizens who were *not* in some way implicated in this vast mesh were the exceptions. All university men were affected, because a Third Reich law had made membership in the Party, or an affiliated group, a condition of completing the university examinations. As the Party, through its suborgans, made itself the conventional gateway to a career, men bent on a career accepted the convention without more inward involvement than that of many a religionist reciting a conventional creed; but for the inquisitor's eye, they bore the stamp. Of German teachers, eighty-five per cent joined the "Nazi Teachers' Federation." The denazification problem expanded as we explored it.

And it was not simply a problem of identifying the collaborators; it became a further problem what to do with them.

They could not all be arrested or interned; but if not, how could they be eliminated from the German public? No one suggested that they could be converted! It was apparently not assumed by our Occupation that the Defeat would *do anything* to the outline of the pre-existing classes; that it could possibly alter the minds of Party members, officers, collaborators. Nor was our denazification an attempt to educate them: we were not meeting ideas with ideas, not even trying to cure these persons as sources of infection—we were trying to get rid of them, in a sense to quarantine them while leaving them at large!

Our solution of this embarrassing dilemma was something like hanging a scarlet letter about their necks. As a matter of course, they were disqualified for all influential functioning whether as officers or as teachers or as leaders in industrial and professional life or as skilled technicians. We could and did demote them, rob them of plumage, take part or all of their property, put them to common labor—in these various ways mark and humiliate them. We may have considered that this would have an educational effect, not upon the ex-collaborators themselves, but upon the public who witnessed their disgrace.

Through such measures, denazification became, at the same time, a process of punitive justice, though punishment was not involved in the primary meaning of the term. Its essential purpose was carried on its face—it was a measure of protecting the new order we were setting up by cleaning the old stables. If you will allow the comparison, it was a more humane equivalent of the Hitler process of purge, an anticipatory purge. Only, the purge killed its victims and they made no more trouble. This clean method of slaughter being closed to us, we kept our purged persons, as potential enemies-by-definition, within the community, alive but emasculated.

The lot of the denazified was thus severe for both parties, and there was a general effort to escape it, especially on the part of persons suspected or accused of collaboration. We had to move with care for justice—justice to the inner motives of accused persons. And since it is hard to see the heart, far harder for ourselves as strangers than for Hitler, we were committed to a formidable process of examining and screening, of which I have shortly to speak.

But first let us take a wider view of the whole meaning of denazification, an undertaking unique within recorded history.

From Purge to Revolution

A purge is a local and limited business. A revolution involves the community as a whole.

We had begun by thinking of denazification as a sort of purge, having a finite scope which we could work through and be done with. We began to see it as having the dimensions of a revolution; and indeed the war effort itself, which our denazifying was completing, implied a revolution. For we were proposing not merely to unseat the personnel of the old government and all its friends, but also to alter the constitution in the direction of democracy. This would amount to a counterrevolution as against the Hitler revolution of 1933 and after. It would not reinstate the Weimar Republic, but it would inevitably incorporate some of its principles.

And we naturally had to assume that within Germany there were forces ready to support such nation-wide change, ready perhaps to carry out a counterrevolution for themselves. Our advance might be the signal instigating the revolution from outside, but there would be popular energies—our class (4) of unavowed anti-Hitlerites—to implement it from within.

Now revolutions-from-within have a radical advantage:

they know their own friends, by necessity; they know also their enemies, well-outlined against the mass of citizens relatively onlookers. Having a clearly limited target to strike, they can go directly to their business, and with good fortune make it brief. I have no doubt—though I cannot document the surmise—that our higher command had at some time contemplated the possibility of gaining the advantages of a revolution-from-within by making the German people—class (4)—its immediate partners in housecleaning the police state. It may even have considered entrusting the heavy work of denazifying to the righteous wrath of anti-Hitler Germany, with our forces in the rôle of a steadying rather than directing hand. The extraordinary measures, the Gestapo and its terrorism, which that régime had to use to hold itself in the saddle argued an immense inner tension ready to spring against the tyranny once the opening was made.

Whatever the specific plans of our high command were, as we entered Germany, they had to include—I deliberately repeat this—a degree of co-operation with an anti-Hitler Germany whose vigor and readiness to strike we hoped for, and whose extent we would have to discover.

In this hope we were not disappointed. The anti-Hitler tension was everywhere, and was alive. The people and their local leaders were in many cases whipped to fury by the final demand of the Hitler officers that German cities, after resistance had become hopeless, should nevertheless resist to the last man and go down in flame and ruin rather than treat with the Allied forces. Germany—so the sentiment ran—must be unwilling, through the passion of its loyalty, to survive its Nazi leaders! This summons to the final madness of self-destruction was to many a German and German community the final jerk of emancipation from the Hitler spell.[2] We

2. The survival of Heidelberg, unharmed except for the blowing up of ancient bridges and the burning of Peterskirche by the retreating

found, I say, everywhere the anti-Hitlerite tension, anticipating the collapse and lifting itself into revolutionary resolve.

But for some reason we could not see it as "ready to spring," ready at hand as a partner in our enterprise.

Had the Hitler police-eye been too long at work, too systematic, too successful? Never unaware of the possibility of a counterrevolution, Hitler had undertaken to cripple its possibility well in advance. Through successive purges and police operations he had steadily destroyed the leadership of his opposition, the very leadership our counterrevolution would require. His ruthless insurance-policy measures had bitten away, not so much the energy of repudiation of him and all his works as its capacity for cohesion and unified action.

In various countries occupied by Germans—Holland, Belgium, Norway, Denmark, France—the overturn of Nazism by the people was swift, vigorous, final. Their period of suppression had been relatively brief. In northern Italy, which had been under fascist dictation for a comparable time, the people had risen and expelled the relics of that régime with, or even in advance of, the arrival of Allied forces. But the Italian war effort had not been comparable with the grandiose military output of Germany in its surge through eastern Europe and Russia; no nation could have been so completely drained of reserve energy. Nor had any other European state been so long and so completely cut off from knowledge of what was happening in the world, including Germany. It is not to be wondered at that anti-Nazi resolve required of us a helping hand to give it unity and direction.

And this helping hand was indeed ready. But through some considerations not apparent on the surface, it was not prepared to accept the incipient counterrevolutionary forces of Germany into partnership in its denazifying work. Our

Nazi garrison, is due to a life-risking rejection of the authority of the local *Gauleiter* by the *Bürgermeister* on just this point.

plans were, as events revealed, to take charge of the revolution ourselves and to do, without the important advantages of revolution-from-within, whatever denazifying required to be done.

It was this decision, if it was a decision, which imposed on a denazifying program undertaken by comparative aliens in German territory, an initial burden so far beyond its capacities.

It meant that in so far as anti-Hitler forces were present and champing for action, they would have little opportunity to operate. According to Gustav Stolper, "the counterrevolution was not allowed to take place; the military authorities responsible for the maintenance of order saw to it." [3] This phrasing suggests that our ideal of a just, peaceful, and scientific procedure ruled out anything like a popular uprising. It is also true that the anti-Hitler forces were so far disorganized that a certain time had to elapse before a co-operative program could be set up. But that organizing task was given no priority. It has to be assumed that other impeding factors were at work.

One of these factors, which we have already met on other occasions, was, I cannot doubt, a rooted distrust of all Germans, whether Nazi or anti-Nazi, on the part of certain elements capable of influencing our central policies. The spirit of the guiding Directive for the Occupation, later issued as JCS 1067, was already at work: "Germany will not be occupied for purposes of liberation, but as a defeated enemy nation." These words seem incredible today, realizing as we now do that "liberation" was our only hope of finding condi-

3. *German Realities* (1948), p. 58. He continues, "Millions had been waiting and praying and scheming for the day of liberation from the Nazi monster; millions had made up lists of their enemies, thought out catalogues of measures to eliminate those at whose hands they had suffered. But they never got a chance."

tions in Germany which would make our Occupation possible. But there these words were. And by that spirit, acting at cross purposes with every hopeful impulse, we were expressly prohibited from making, at the outset, colleagues of our natural allies in Germany, the democratic forces within the German nation.

Denazification was nonsense unless within Germany there were both Nazis and anti-Nazis. The spirit of this Directive required us to treat Germany as if there were no genuine anti-Nazis. A contradiction was built into our fundamental charter of instructions.

It was a lurking contradiction, one about which our command became clear only by slow stages. It did not prevent the denazification effort; it simply robbed it of prompt association with its needed local aids. The moment, and the momentum, of spontaneous German uprising and co-operation passed. A Military Government was established which took prompt control of the wretched remnants of the Wehrmacht and held over the civil population a firm hand on Nazi and anti-Nazi alike. If the revolution were to take place, we would engineer it and furnish most of the motive power as well. We did so by the most rational methods we could devise: we did our best.

Our undertaking was necessary. That is not to say that it was possible.

Was it possible?

The Working of Denazification

This we were to discover by making the attempt. Having almost everything to learn as to the extent of our classes (2), (3), and (4), it was an immediate imperative to explore and find the facts. We hoped by improvised methods of inquiry, including (as proper Americans) a 131-question question-

naire—with committees acting under an improvised law—to acquire swiftly the needed information. And then, knowing our resources, we hoped to dispose of our culprits by rational and just means rather than in the violent and summary fashion of most revolutions. It is well, of course, for a revolution if it can be swift, so that the period of *bouleversement* and wide individual uncertainty as to one's fate can be brief. Our effort to sift a large number of people—a number which ran to some twenty per cent of the adult males in a population of perhaps twelve million—and sift with some care for justice, committed us to a delay whose proportions we wholly failed to anticipate, as well as to embarrassments which could only emerge with the unfolding of the task.

Meanwhile there were some fairly clear operations which could be begun at once, affecting chiefly persons in our class (1). Party memberships and official position under the Third Reich were fairly tangible marks. Here we could continue the work begun by the Army, the work of mandatory arrest and mandatory removal from office. We had the lists and the rating of culpability for various grades of administrative officials, down to the next-to-lowest rank. We had also the ratings for Party office-holding and Party membership, with an important line of division at May 1, 1937. On that date, membership had been thrown open on relatively easy terms to wide-reaching groups of the people, not without a degree of political pressure to enter the Party. The Party thereupon ceased to be a select group, consisting chiefly of convinced activists. Persons who entered the Party after that date needed, on our part, special examination to determine the degree of their complicity in Party crimes—they could plead having entered under duress. All persons who had joined prior to that date were subject to mandatory removal from their offices or positions in the community.

I cannot doubt that our Occupation knew very well that

these ticket-criteria of membership and office covered a wide gamut of difference in inward consent, and that this inward consent was the thing that concerned us. But not only is it hard to see the heart—it takes time to gather the external signs of heart-allegiance or nonallegiance; it was necessary, we thought, to act on the presumptions of the ticket-label. It seemed more important at that moment to prevent the guilty from escaping than to protect the accidentally tarred innocent. We adopted the principle of police rule: assume the ticketed man guilty until he can prove his innocence.

This ticket-criterion not only assumed a correspondence of guilt with status which did not exist: it ensured the overlooking of one important group of persons. There were persons in positions of authority, in factories, schools, organizations of many kinds, who, to protect those in their charge, chose the perilous path of leading a double life, pretending to acquiesce in the Nazi régime while secretly aiding the Underground. Such individuals, frequently heroic in conduct, knew well that whatever the outcome of the war they could never present to any official sifter a clean slate. Without them—and anti-Hitler officers of the German army—the very considerable Underground revolt could never have been carried on. To them are due the two attempts on Hitler's life, so completely crushed and punished, yet so much to the honor of the German spirit. How could a screening process discern these friends of the new order when by their personal decision they were overtly identified with the Nazi program?

These actions-for-speed naturally brought a crop of protests. The hearing of protests brought into evidence not only the questionnaires but personal testimony and certificates of nonparticipation; these certificates of uncontamination blossomed in such profusion that they acquired a special name, *Persilscheine,* literally "washing-soap certificates"; in our

vernacular they were whitewashers, and had in large part as much substance as the name suggests. But we were in duty bound to examine them all.

Of our early swift judgments there were naturally numerous reversals: Germans were reinstated in positions for which they had been disqualified, and vice versa. Being reinstated, however, was no security against subsequent accusations or interventions of higher military authority. And there was diversity in interpreting the law of denazification: denazifying officers acted as prosecuting attorneys and, new to the job, had differing conceptions of the scope of guilt and therefore of how far a "thorough denazification" would take us. Most of these officers were men of good sense and good will. A few were disposed to a theory of collective guilt whose weird logic would have made the class of Offenders coextensive with the adult male population, while a still smaller number were vengeance-sleuths whose works of zealous ill will, spreading disrepute and rancor over far more than their proportionate area, had frequently to be undone. A small minority can work vast havoc in the total morale of a difficult and sensitive job. As a result, there were cases in which Germans were in and out of office and home and back again, sometimes more than once. It was hard for any German in our zone to feel his case finally settled; doubt began to spread of our competence to do the work properly. We ourselves began to share in this doubt.

Our first set-up of denazification machinery had been accomplished in the fall of 1945. By spring, 1946, Military Government had wisely concluded that, beyond obvious criminal cases, the Germans could best know who the tainted persons were, and what treatment they deserved. By that time, too, MG had become reassured as to the firmness and breadth of the anti-Hitler sentiment, and knew much of its

personnel. The confidence we had at first withheld we now tendered, partly because we had to. The German subgovernments of the three provinces in the American Zone were invited to propose a new denazification law, such as they themselves would be prepared to administer. They undertook this assignment with good will and no little energy. They took it —as MG intended it to be taken—as a capital example of the democratic idea: German problems were to be met by Germans. With these terms of reference, they felt justified in applying some of the well-recognized principles of German criminal procedure, and also in avoiding what they considered the chief mistakes of the American program. As they saw it, these mistakes were:

1. Making Party membership or official position *prima facie* evidence of guilt, and rank therein a measure of guilt. The Germans considered these, our main criteria, almost worthless as guides to criminal intent;
2. Assuming a charged person guilty until proved innocent;
3. Depriving an ex-Party member, solely on account of that membership, of the exercise of the occupation for which he was fitted;
4. Making the date, May 1, 1937, a significant line in marking degrees of guilt.

Instead of a Party-and-office-based classification, they introduced a classification with graded penalties [4] based on the

4. There was, so far as I can learn, no tendency on the part of the German group at this time to let the ex-Nazis and ex-officers off without penalty. The Major Offenders were to be sent to work camps for two years or more, to be permanently disqualified for office, then to serve as common laborers to a total of not less than ten years. Their property was to be confiscated. The Offenders suffered the same disabilities but with work-camp and common labor for five years, and a partial confisca-

degree of actual individual involvement in crime, as found in the record and in the current knowledge of anti-Hitler Germans who had observed and suffered. There were Major Offenders, Offenders, Lesser Offenders, Followers.

The German governments submitted their draft to MG, which proposed to accept the draft as a basis, but with a Supplement drawn up by MG. The Supplement provided:

1. That official position or Party membership should justify *prima facie* a charge of "concerned person";
2. That the charge should carry a presumption of guilt, a presumption which could be contested before a Trial Tribunal, and, if possible, disproved;
3. That membership in the Party or an affiliated group should disqualify at once for any occupation other than "ordinary labor";
4. That the date of May 1, 1937, should retain its significance; those who joined the Party before that time were presumably offenders of high degree.

In other words, MG was willing that the Germans should write a denazification law so long as it retained what the Germans considered our main errors. There was protest. The protest was withdrawn under MG pressure. The new law, entitled "Law for Liberation from National Socialism and Militarism" went into effect March 5, 1946, and was proclaimed as a "German Law."

The reader, whatever his opinion may be of the merits of MG's insistence, will form his own opinion, as did the Germans, of the residual "democracy" of this performance, not

tion of property. Lesser Offenders might be placed on probation with varying disabilities assigned by the court from case to case. Followers might be demoted and fined, according to individual participation (fines, by later MG directive, limited to 2,000 marks).

to speak of its common honesty and fair play. The reader will also not fail to see the bearing of this episode on our affirmative effort to teach "democracy" to the German public.

In the working of this new law through trial courts manned by Germans, the German personnel was thus obliged to administer as its own act a set of rules in whose leading principles it did not believe. And since all judgments of these courts were subject to review by MG's "Special Branch of Public Safety" (to which office all questionnaires were finally sent for examination), the status of any German citizen was effectively determined not by Germans but by MG. And since "Special Branch" was highly alert—necessarily inspired by the watchdog spirit, and at times unnecessarily imbued with the Morgenthau spirit—the trial courts were made to feel that MG's proffered confidence in them was more nominal than real. It became increasingly difficult to find competent Germans willing to carry the morally burdensome, and dubiously significant, duties of these courts.[5]

A large part of the business of these courts, in view of the presumption of guilt, continued to be the hearing of cases of clearance, which on the German proposal would have been unnecessary, and whose multitude was climbing to such an extent that the trial-court dockets were running steadily behind. Two years after the Armistice, they had not yet disposed of a fourth of the main cases.[6] Meanwhile, by that

5. In some American quarters, the German public has been bitterly reproached for not rallying with greater vigor to the support of the denazification work, so that it fell by degrees into the hands of a quasi-adventurer type of German citizen. (So J. Glenn Gray, *op. cit.*, p. 425: "The better class of anti-Nazi Germans, bitterly critical of these opportunists, has nevertheless largely remained in the background.") One wonders whether those who thus complain can be fully aware of the facts here recorded. The facts are that the German public *did* rally to this work; and our treatment of their contribution effectively dampened the will to co-operate. It could hardly be otherwise.

6. Stolper, *op. cit.*, p. 62.

same presumption, no person under charge could continue responsible work; he must serve as a common laborer until his case could be heard. Even so, Special Branch showed dissatisfaction with the proportions of exculpations to convictions. New directives were issued from time to time to tighten the screws.

Under these conditions, what could happen to the political direction of those Germans who had originally been eager to co-operate with us? The "reservoir of good will," which was large, was gradually dissipated, even though the thoughtful German, well aware of the extraordinary difficulties of the outsider, was long inclined to give us the benefit of our intentions. Their inevitable sympathy for hardships inflicted on persons whom they considered needlessly held, and their observation of the damage done to German economy as well as political life by the forced exclusion of available skill and experience, tended to make them little by little antagonistic to the whole procedure. Many of them became—certainly not pro-Nazi, but antidenazification as we were doing it. And this anti-our-denazification-ism, which to a hasty look resembled favoring the foe (and by various hasty lookers was falsely so reported), meant at best a serious loss of efficiency in a denazifying process which was staggering under its own volume.

It was the volume that finally broke it down.

This volume, the logical consequence of the classification-by-belonging on which we insisted, was the answer to the implied question of our experiment, "Was it possible?"

The answer was No.

The simple pressure of magnitude and delay, together with the deterioration of morale of the trial-court business, compelled, during 1946, a new look at the entire undertaking. MG began to cross off whole classes of charges. It came to a

limited use of the type of action of which our whole policy had been the negation—*amnesty.*

Amnesty as Man-Changing Deed and Amnesty by Default

Amnesty is a voluntary and official amnesia, a decision to forget. It is an exact legal incorporation of the will not-to-remember of the phrase of Jeremiah, "And I will remember their sins no more." Since it is both psychologically and morally harder to forget than to forgive, amnesty is the most sweeping sort of clearance. Yet it is the act in which wars have customarily concluded; so much so, that even if in a peace treaty amnesty is not expressly provided for, it is understood.[7] It is the one respect in which political closures of strife traditionally outpass the Christian rule of forgiveness; and forgiveness itself, from the point of view of strict retributive justice is, of course, unjust—a form of moral discontinuity. How much more so amnesty! In legal effect it is a cancellation of debt (like that of the statute of limitations), allowing the debtor to start once more as a new man. It is a realistic acknowledgment of the hopelessness of perpetual feud; it is a burial of the hatchet. Forgiveness and amnesty, failures of fine-toothed justice though they be, belong alike to the higher wisdom of the race. I am inclined to call it the

7. Charles G. Fenwick, *International Law* (1924), p. 578: "Prior to the World War it was the custom for belligerents to insert in their treaties of peace an amnesty clause creating an immunity in relation to one belligerent for all persons who had committed wrongful acts on behalf of or in the service of the other belligerent during the course of the war. Even in the absence of treaty stipulation, an amnesty was one of the legal effects of the termination of war." Fenwick continues by commenting on the effort, at the close of World War I, to depart from this custom by introducing into the Treaty of Versailles clauses providing for the trial of the Kaiser and of certain members of the German armed forces, and noting that both such clauses proved inoperable.

higher realism; for it is as if from long ago intuition had foreseen what we in Germany were now discovering, or rediscovering, with great pain: that the more exact, careful, scientific the attempt to trace the source of evil to the crevices of a nation's life, the more one is bogged in infinitude and begins sinking with one's intended victim into a bottomless quagmire more cruel in total suffering-cost than a cruder but swifter finish. Necessary as it is, retributive justice can achieve at best only a symbol or sample of what is deserved; retributive justice can be perfected only in Hell. For men, as for the divine mercy, the way of life in dealing with crime can be neither an abandonment of issues in a morally-benumbed *laissez faire,* nor an eternal eye-and-tooth reckoning, but as Western civilization should know, the way of creating something new in which old issues are reconceived, and men relaunched, perhaps remade.

In the spring of 1948, I happened to be living for a time in the house, at Warmond, Holland, of the military attaché of the British Embassy, Colonel B——. Conversation frequently turned on the psychology of our several attempts to recover a normal life in Germany. "If I were doing it, and could do it," said the Colonel one day, "I would talk to Germany as to a man I had knocked down; I would say to him, 'You have been jolly well beaten, and you deserved it; now stand up—here's my hand—and begin over again.' " That is the sort of thing in which Great Britain shows its size: [8] no mollycoddling, no pretense that the guilty are not guilty; but a clear assumption that the guilty man *knows his guilt*—the critical point—and is prepared to admit it, and, further, is glad to start over again with the man who has administered the beating! The picture is far oversimplified; but it has an

8. If it is true that English public schools develop this trait as an incident of their interpretation of sportsmanship, we have something to learn from these schools.

ingredient which our policy came to a bit late for its normal effect—magnanimity.

Driven by necessity, Military Government in July, 1946, proclaimed an amnesty for all born after January 1, 1919 (say, all under twenty-eight), affecting nearly a million persons; and in December of the same year an amnesty for certain groups of disabled and low-income persons, affecting between 800,000 and a million more. Some million and a half cases still remained. In March of 1948, General Clay simplified the rules of procedure in a way that reduced the number of cases still pending to a comparatively almost nominal total, perhaps thirty thousand. During this period appeals had been made from America, and pressure was exerted by Congress, to terminate the whole procedure, except for cases of criminal behavior. By autumn of that year, MG was ready to close but yielded—strangely enough—to pressure from German authorities to continue a driblet of proceedings into 1949, when the machinery stopped, having held a total of about 950,000 trials.

Russia had concluded its corresponding operations for the Eastern Zone considerably earlier.

The Soviet Priority, and What We Might Learn from It

The circumstance that Russia was ahead of us in all stages of amnesty deserves our notice as an educational item. Of all postwar interpretations of inter-Allied agreements, the Soviet interpretation was the least restrained by either humanity or good faith. The Soviets early began to play the enemy-in-allied-garb for the high stake of a Germany united under Soviet control. But in playing that treacherous game, they knew and used, where it cost them little, cards with a powerful popular appeal. It was they

who first announced that "youth would not be held responsible for the crimes of Nazi leaders." Shortly afterward, they declared the denazification process at an end, and announced that Nazis not under criminal indictment would henceforward be under no disabilities in seeking employment. In October of 1947, Marshal Sokolovsky decreed that Nazis and their followers were amnestied and restored to all political rights.

These acts, received with natural relief alike by Nazis and anti-Nazis in the Soviet Zone, sharpened the question why we could not take the same steps. There were reasons. It was in part because we were weighted, as the Soviet control was not, with the moral issue of justice and the consistency of our own policy. (Further, we could take no step toward "leniency" without arousing a hornet's nest among the Keep-Germany-Downers in America, and also in France.) But it was also because the Soviets were guided, as we were not, by psychological good sense, in defining the moral issue itself. They understood the limited extent to which, in undemocratic Europe, the acts of a government are—in terms of actual consent—the acts of all its citizens: in general a citizen "went along" with his government not because he adhered personally to its principles but because it was *de facto* his government.[9] This psychological independence, as between citizen and government, does not dispose of the moral issue, as Tolstoi well knew when he publicly [10] washed his hands of the Czarist police state of his day. We who accept the benefits of any government are, by our silence, implicated in its misdeeds, so far as we know

9. In other words, for a reason analogous to that whereby the United States, Great Britain, and Europe generally maintained embassies in Hitler's Germany long after we knew—probably better than most German citizens—what Hitler was up to.

10. His letter of repudiation (1912) was published in Switzerland—its printing was not allowed in Russia.

of them and, to a lesser extent, even when we do not. The notion of collective guilt has this line of inescapable logic. But for those who from outside pursue this guilt, for the sake of punishing it, the moral issue quickly loses the handle by which legal processes can take hold of it. And where the pursuit of a moral end becomes burdened with a thousand immoralities, the pretense of perfection in that pursuit becomes one huge immorality the more.

I have used the word *immorality*. For it is not without moral cost that known injustices and inhumanities are allowed to mount, solely through the momentum of a type of legal process which has outgrown and outlived its significance. When in the early days denazification could present itself as a necessary measure affecting the security of American personnel, its summary nature could be defended. But when, with the passing of emergency, our process still allowed summary arrest, detention without knowable limit and without benefit of *habeas corpus*, holding a defendant guilty until he could prove his innocence, incidental injustice flourished rankly before our eyes, and with it much inhuman misery in the families of accused persons, their providers held helplessly inert while house and land, furniture and clothing, family treasures, health and life itself, paid the slow forfeit.[11]

Repercussions on the Teaching of Democracy

In the story we are undertaking to trace, the human impact of our well-meant denazification policies, affecting

11. For specification on these points, which aroused much indignant protest on the part of German leaders above suspicion of Hitlerite sympathies (Pastor Niemoller among others), I may refer to the memorandum submitted to the American Military Commander in February, 1947, by Bishop Theophil Wurm of the Evangelical Church in

sooner or later almost every family in our zone, must be kept in mind if we hope to understand the influence of our affirmative teaching. I have dwelt on these policies for that reason. Whatever we had to *say* about democracy, our democracy would be judged chiefly by what we *did:* every political and legal practice of ours would be examined with care by the Germans subject to it to discover what, in terms of social action and of respect for personality, we meant by the term "democracy."

One impression must inevitably have been made: that a democracy like ours is less capable of a firm, unified, and consistent policy than a more centralized political system. The ranking officers of our Occupation were, almost to a man, of high character and ability. One of the severest critics of our denazification work said to me, "I have yet to meet an American Officer whom I did not regard as a man of good will, capable, and honest." The personal respect and regard they commanded went some distance to atone for mistakes of judgment in a task which was obviously wholly novel. To thoughtful Germans it was clear that these officers, men of conscience, were frequently puzzled men, pulled various ways by impulses from Washington having their origin in parties, pressure groups, minorities, to which our democracy had to listen because it was a democracy. Or rather, because it was our kind of democracy, one in which—to our shame—both major parties could be browbeaten by an insistent, strategically-placed minority with a self-centered foreign policy of its own to which it was determined to bend, and for a time did bend, our government. Our conceived educational mission of winning Germany to democracy would be affected, perhaps deter-

Württemberg-Baden. This memorandum is quoted at some length by Gustav Stolper in *German Realities,* footnote to page 61.

mined, by whether Germans were attracted or repelled by what they thus saw.

They could see at least this—that, as we found our way in the novel task, singleness of purpose emerged, and sanity with it: democracies could learn from experience. MG had done its best from the first to achieve both types of justice, punitive justice toward the past, human justice toward the future, with an honorable place for the German nation. By the necessities of the revolutionary situation, it was obliged to put some of the punitive business in the first rank. It realized at last that the prolonged din of retributive emotion could of itself cancel every affirmative result in the field of education. It could not, indeed, so far pull itself together as to do one sweeping, magnanimous deed of amnesty to terminate what had already gone too far—there democracy is weak. The whole creative power of a deed of forgiveness or of amnesty depends on its being prompt and wholehearted—less an emotion than the resolve, "We *shall* begin again." And a democracy pulled two ways by party politics can seldom be either prompt or wholehearted. But it could at last ensure the replacement of Directive JCS 1067 (with the aid of Hoover's reports, published March, 1947) and thus break decisively with its technical commitment to the Morgenthau spirit. With that change, denazification lost most of its continued *raison d'être,* though it continued in its power to disturb the currents of normal living, and will long continue in its effects.

Some of these effects, within the educational system, we shall shortly attend to. But first, a swift résumé of the achievement of denazification.

VII

Denazification Balance Sheet

Attempting now to survey the credits and debits of our denazifying work, we assume, to start with, that *some of it had to be done.*

In the outcome of this war, as of no other war in living memory, Western civilization had a heavy stake. The Hitler *furor diabolicus* had done treason to its rock-bottom faiths. There was need for a more definite voice than Defeat and Overturn by themselves could give, a world-reaching definition of the treason, a declaratory peg driven in to stay forever at the point of an Everlasting No. The Court brought forward the unignorable definition, making clear to mankind what it was that Western life had to be so uniquely against. By its sentences it began the process of judicial denazification. And if Nuremberg could not judge all the Major Offenders, then whatever other veritable Major Offenders there might be must be dealt with by the Occupation.

But further, German society itself had a special stake. There were deep rifts in its fabric created by Gestapo-devised abnormal fears and suspicion-breeding rack-twistings-and-tearings of natural human trust. It would have been false to the facts of German feeling to stand up and pronounce immediate universal amnesty, inviting all culprits high and low to a paean of self-forgiveness and a

chorus joined in by all, "Let bygones be bygones." The German spirit also required a definition; it had to reject, among other things, the rising calumny, "Germany prefers autocrats." Autocrats, good and bad, Germany has had; but never before a literal iron heel, conscienceless and divisive, grinding across and into German society a hitherto unknown gulf between dominators and the dominated; turning the old German *"Ich dien,"* which in the worst days of political snobbery had a glint of honesty in it, into a phrase of contempt.

German feeling itself, I say, was not ready for a universal amnesty. I will not say it was impossible; I say only that something like a declaration of non-identity was first in order—"That thing was not Germany." We owed Germany a chance to say that for itself. At the moment of defeat, Germany was in mutually hostile segments, and it would have required a rare oxyhydrogen flame of pain-charged emotion, like simultaneous awaking from a nation-wide nightmare, to fuse these into unity. And at that moment there was no Germany-as-a-whole to melt itself together.

There was need, then, on both counts for some exemplary retribution to signify the sweeping rejection, our own and Germany's, of all that Hitler, in his days of demon-possession, had given birth to. The signal virtue of our denazification work was that we *saw what had to be done,* both by way of Clean Building-anew and by way of this Unignorable Definition, and that *we undertook*—though it had never been done before—*to do it carefully, justly,* and *well.* We undertook to get far away from the appeal of passion, wrath and revenge,[1] into the region of a type of law which could

1. It must be noted that, in respect to various political appointments to the judicial work, we failed to exercise due judgment in avoiding the influence of a natural vindictiveness. We gave notably large representation to persons who, having suffered directly or indirectly from Hitler criminality, could hardly achieve a judicial temper. There were some

win the assent of a universal sense of right, and thus outride the inescapable accidents of being in some respects new law and in some respects a law administered by the victors upon the vanquished.

Exemplary Retribution: Our Failure to Understand It

In saying that there was need for some exemplary retribution, the word *exemplary* has to be noted.

What we required was a signal, a sign of rejection, a making of examples. It was not necessary—it was impossible—to make thorough work of the cleansing and the punishing. But having to our credit undertaken the necessary thing, we proceeded to our discredit to attempt the impossible and unnecessary thing; we tried, for a time, to effect a complete denazification.

No one can be blamed for not achieving an impossible goal. Nor were we to blame for having begun what we could never finish. We were to blame for not having seen in time what we were doing—dealing with samples, not with totalities. We failed to recognize the necessarily vicarious character of all such exemplary punishments whereby many within the German community, and not alone in Germany, would have to say, "There, but for the grace of God, go I." We can fairly be reproached for not having seen promptly what was evident beforehand: that to be thorough, scientific, and perfectly just in pursuing the Hitler taint into the capillaries of German life was an infinite task, infinite, too, in the fineness of its needed discriminations; and that this

who, like Prosecutor Kempner, gave a wide impression of having an insatiable hunger for convictions. The temper of vengeance was a poor substitute for the objective justice to which, in the legally vulnerable position of our Court, we were peculiarly committed.

undertaking was beyond our means, nay, beyond any human means. We were guilty of the extreme naïveté characteristic of those who rely on something called social science to resolve political and moral problems, of setting up a program of a piece with the clean and perfect Last-Day division of mankind into the sheep and the goats—a division which, if any one, only Omniscience should attempt!

It was still more of a piece with a cleaning-up proposal of the French Revolution, related with gusto by Thomas Carlyle. In the disorderly assembly, where "The Paper of Grievances cannot get itself read, for uproar," some sanguine Unknown calls for firm De-scoundrelizing of the newborn French Republic:

> One man we discern bawling for the space of an hour at all intervals, *'Je demande l'arrestation des coquins et des laches.'*
>
> Really [remarks Carlyle] one of the most comprehensive Petitions ever put up; which indeed, to this hour, includes all that you can reasonably ask Constitution-of-the-Year-One . . . Ballot-Box, or other miraculous Political-Ark-of-the-Covenant to do for you to the end of the world.
>
> I also [continues Carlyle] *demand arrestment of the Knaves and Dastards,* and nothing more whatever.

The cleansing enthusiasm is glorious, and the process enviably simple—nothing to do but identify the Knaves and Dastards and then coop them up somewhere! The date is May 20, 1795. Add just a hundred fifty years, and you reach May 20, 1945. This is as near as human calendar-target-practice need come to the very hour of crumpling-up German resistance and the coincident victor's cry for arrestment of the Knaves and Dastards tarred with the Hitler brush.

Carlyle, as historian, without twentieth-century-sociologist pretensions, could note that the French patriot's call for

arrest of The Scoundrels was "comprehensive," so much so that it deserved special memorial as an unprecedented political Cry for the Moon (such, however, as reforming mankind is chronically tempted to). Why, I ask, could not our great and wise Men of Action foresee or in-see as much as Old Pen-Thunderer? Did we require someone to tell us that we shall not get the several shades of Knavery or Hitlerism expunged from any historical body politic this side of Kingdom-Come?

It was for us to make our examples, covering the Major Offenders as best we could in a limited time, *and then stop.*

The time factor, always to reckon with in politics, was here of decisive importance. With the débâcle there was a period of lost bearings especially for the Hitler-favoring segment, vast disillusion, readiness to be converted—even to the point of embracing the man who had knocked you down! Then, as the victor gets into action, sets up his improvised substitute organism, begins his cullings, reveals his human fallibility, inescapable finitude of insight and perspective in a new milieu, comes a second thought, a set of sharp comparisons, a *tu quoque,* a vacuum of faith and respect, a nihilism; then, finally, a furtive look backward, not as desirous of warming up a discarded enthusiasm, nor even as capable of it, but as longing for salvage of something within it, at least a vision and a hope, now nowhere to be seen. In sum, creeping disaffection toward the new régime. We allowed this moment of disaffection from ourselves to arrive. We lost the moment when, having signified by examples what we had to signify, we might well have stopped and salvaged much irreplaceable building energy and good will.

Once the notion of exemplary, rather than Karma-complete, punishment is accepted, it becomes evident (as a guide to the stopping point) that a hundred cases are far better

than a hundred thousand for their impression on the mind of any public, German, American, or world-at-large. Quite possibly, twenty-five would be better than a hundred! For as the number of sentences increases, running to the hundreds and thousands, not alone do we lose the sharp personal picture of any of them—and it is in this personal livingness that all moral stirring lies—but we emphasize the fact that these cases were not so much individual inspirations to evil, private repudiations of one's own conscience, as *cases within a "Movement."* And this Movement, being co-guilty with the individual and yet not hailable into court, not sentenceable nor hangable, tends, in proportion to its extent, to lift away from the mind of the observing public the poignancy of a personally conceived and executed crime. Mr. Justice Jackson in his able analysis of the legal status of individual members of "criminal groups" cogently argued that the group character could not excuse the act of a member, since each member retained the power of making his own moral decision; a similar argument, not developed by him, would hold for a Movement. We are here speaking, however, not of excuses for the culprit, but of the psychology of those whom exemplary punishment is to impress and possibly educate. To them, the multitude of cases dims the impact of any of them.

And finally, if we stop in the small numbers it becomes evident to all that we are not intending a thorough clean-up. Whereas, if our cases run into the thousands, as they did,[2] we appear to be making a bid for completeness; and in that case any halt of the process would tend to convey the false judgment that the non-sentenced had been found guiltless, an impression which could only be removed by carrying the

2. It was reported in our press that by May, 1948, in our zone, nearly 400,000 had been fined, nearly 7,000 sent to labor camps, and 24,000 sentenced to specific types of labor.

process on in vain pursuit of the indefinitely remote conclusion. Here, the pretense of strict and equable law gives rise to a new set of injustices-of-comparison: *summa jus, summa injuria.*

Our Two Major Errors

Too long persistence in the pursuit of Hitler-taint would have been a less serious error had our measure of presumptive guilt been more nearly accurate. Our primary error was that of *measuring presumptive guilt by Party-connectedness and official rank,* a fallacy from which our German colleagues were prepared to save us, and tried to save us. We rejected their counsel. This course has been defended on the ground that such ticketable relations were the sole tangible criteria we could use, and that the pressure of time and events required us to adopt some hypothesis, to get a working régime under way. But unless we were insisting on finishing the job, it is hard to see how any time-pressure could justify so calamitous a policy. In our own minds, perhaps, the two errors—the use of Party-connection criteria and Not Knowing When to Stop—were bound together. Each was profound in its public influence in alienating confidence in our judgment.

A Third Error: The Assumption of Fixed Guilt Classes

But there was a deeper defect, and in the long run probably the most serious: our assumption that our several class groups of Offenders were essentially unchanging, perhaps unchangeable.

We ruled out, apparently without question, the possibility that multitudes of those definitely implicated in the Hitler

programs were not alone restorable but actually restored to sanity by the catastrophe and its sequels, and by those elements of good will—so incredibly impressive to Germans in the early days of defeat—which the victors or individual victors were able, beneath the ban on "fraternization," to show.

We proceeded to classify, and then to stamp—in a way to *brand*—our classes. Individuals, as the routine examination of questionnaires, etc., proceeded apace, were provided with identification cards, to be shown on demand on all occasions, as when applying for work. On these cards were punched the several findings which determined the holder's "status"—a good word, is it not? indicating a condition that stays put—in terms of Party involvement, etc.

In fixing this status, the questionnaire failed to include the most pertinent question, *To what are you prepared to give allegiance as of today?*—perhaps the only fully pertinent question. Had we asked it, we should surely have had undeterminable multitudes of pure Turncoat Follow-the-Band responses, mixed with equally undeterminable multitudes of honest responses—just as Hitler's Party in its high vogue contained multitudes of less than skin-deep Hitlerites; and we should have had no sure means of distinguishing the sincere from the insincere replies. Granted: the difficulty is inseparable from any political community—the state has always to operate on an *averred allegiance*. (Do you wish to measure the sincerity of all these allegiance swearings in the United States, brother? Would you recommend a psychological, improved lie-detector to accompany each oath?)

What was the alternative to this probable sheep-and-goat mixture? We could concentrate on the verifiable past: What were your activities and connections during the Hitler period? If you had been "concerned," no change of mind in

subsequent months was officially considered significant or valid.[3] Our process assumed what many believed: "Once a Nazi, always a Nazi," meaning to say, "Hitlerism is incurable."

If this incurability is what we really believed, we were wrong—as I have said—in receiving them back into the community at any time—in two years or five years or ten years or right away: we should have made it a purge and killed them all.

Our failure to do this suggests that the dogma of incurability stuck in our throats; we only did our paperwork *as if* we believed it.

On such view there could be no surviving Hanfstaengls. One learns from news reports that Dr. Ernst Hanfstaengl is now once more in Germany. He was one of the early enthusiasts and active apologists for the Party, slated by our classification for summary arrest and high penalties, by all our Class definitions a "Major Offender." True, by 1934 he had had enough of it, had broken with Hitler after the murder of Roehm and, in his own phrase, "was denazified by Hitler personally." After two years of banishment from the Chancellery, he found it advisable to escape for his life to England, where he was interned from April, 1937, to August, 1939, and then transferred to Canada. He had views on psychological warfare against the Hitler-Goebbels line which led President Roosevelt to "borrow" him from Canada. He came to Washington as a British POW ("on return lend-lease," in F.D.R.'s jesting phrase) and advised the President from July, 1942, to September, 1944. His experience within the Hitler central circle made him invaluable in the attack, when once he had seen that that attack was

3. Examining officers were frequently better than official theory, and took account of professed changes of mind.

his line of duty. His name was on the Himmler death-list for Britain, prepared in 1940 for the Goering Landing.

What would our denazification do with a Hanfstaengl? Is his presence now in Germany to be viewed with that push-button alarm with which so many of our people have been conditioned—especially by our New York press—to respond to the word "ex-Nazi"? Or is it a potential benefit? On this point, a sensible editorial in an American daily comes to my notice:

> Germany is in the position where it must call upon its Hanfstaengls now. There simply aren't enough people with ideal records of anti-Nazism to go around, and they are unfortunately not all as wise and useful as those who have sinned and seen the light. The parallel is by no means exact, but Germany's situation today is similar in some ways to that of our own South after the Civil War. The original hope of the victors that all active participants in the defeated governments could be denied office in future proved quite impracticable. Carpet-baggers simply didn't fill the gap.[4]

"Those who have sinned and seen the light"—ye gods! we had no such class on our program card! Yet, in all truth, are nation-states generally composed solely of the Always-Pure? If not, are there any human institutions made of selecter company—say the Church? I seem to recall that the invitation of the Church is not solely to the saints, but more especially to "those who have sinned and seen the light,"—why not of the State as well?

My question is not a matter of modern logic, playing with abstractions of abstractions. I have concrete reasons for judging that in Germany the class of those who, having sinned, then in 1945 and immediately thereafter had genuinely seen the light and not simply scurried to shelter like

4. *Boston Herald,* October 15, 1952.

bugs under an overturned rotten log—that class was a very large and to us most important class.

For instance, if Nazism in its Hitlerite version were to linger long in any group, it might be expected to be among the younger ex-soldiers. They had not been Nazis in Party affiliation, for soldiers were not eligible for Party membership; but they had been our actual enemies in arms, dedicated to the Cause, steeped in its propaganda. What was their postwar state of mind? Thousands of them, released into civil life, were beginning or resuming studies in the universities, paying their way by their earnings in the Hitler campaigns. For the Hitler who had inspired these campaigns and promised the Thousand-Year Reich, they could hardly retain discipleship. For the police state, which had weighed heavily on their families, they could only share the general detestation. In them, to be sure, the pressure-teaching of the Hitler Youth program had done its completest work. Boys who in 1945 were in their mid-twenties had been from ten to fifteen when Hitler came to power twelve years before—he had had their most mouldable maturing years. But even before truth breaks in from outside the careful curtain, an overdone propaganda tends to rouse suspicions against itself. I judge that there were few of the ex-soldiers who had not developed private doubts about the Hitler-Rosenberg brand of history and politics. In them for the most part, as I met samples of them in 1948, Hitlerism as distinct from Nazism was already dead, a discredited nightmare. For this, I shall shortly bring some personal evidence.[5]

On the ground of these and other facts, I deny, as every-

5. Below, pp. 141–48. This disaffection from Hitlerism did not, of course, carry with it necessarily any attachment to the line of policy we were recommending in its place. The anti-Allied outburst on the occasion of the Waffen S.S. reunion in October, 1952, is a case in point.

one with a drop of democracy in his veins must deny *a priori,* the incurability of Hitlerism, or of any other aberration. The wider the aberration, the stronger the pull-back when and if the occasion comes. Democracy is committed, not to the actual equality of men at any time but to equality of possibility in respect to mental sanities: the deep roots of their freedom imply an unalienable capacity for reverting from any criminal infatuation to normal ethical judgment. By assuming the fixity of our crime-touched classes, we played false to the primary lesson in that democracy we hoped to recommend.

We subconsciously believed and occasionally acted, no doubt, much better than our legalities professed. But our failure to be clear to ourselves and others on this point had one consequence of considerable gravity. Not recognizing or trying for a change for the better, in the case of most declassed functionaries, we produced a change for the worse. By failing to make friends, we made enemies. A few words on this matter.

The Creation of a Festering Pool of Idle Talent

It is a commonplace of the discussions of our denazification policies to observe that we weakened and lamed many a phase of reviving German life by removing along with scoundrels and parasites many of the ablest persons, handing over the civil service, the business and industrial leadership, the teaching personnel, the professional and scientific advance, to untainted persons of lesser competence. This point is important; I shall simply mention it and pass on. Many of these have since been restored to their old or similar positions. But there is another aspect of the same situation: the effect of enforced disuse of powers-to-help on

the disposition of men thus deprived of the use of their higher faculties.

What we did to them, let us recall, was done not at all by way of cure or education but by way (1) of punishment and (2) of protecting the purity of our new social building. There was nothing in any of the penal items—arrest, removal from office, fine or confiscation, assignment to common labor—to win the culprit over. These relatively humane punishments-short-of-death, when multiplied by thousands, not alone ceased by their numbers to have any exemplary effect—they contributed not one iota toward convincing the wrongdoer that he was wrong. The fact is, they were devised not to cure but to sting and hold up to contempt. And whatever long continues to invite contempt begins to fester. There are few treatments in this world more uncuring than public demeanment, few things more fertile in inward revulsion against the source—the men and the views—of the declassing operation.

Further, without consulting any of the learned (and imaginative) works on psychiatry or psychoanalysis, the amateur psychiatrist in every man of sense will indicate that a talent refused its customary medium of exercise does not on that account cease forthwith to exist. A man of high intellectual capacity, used to carrying responsible burdens, say an ex-banker, when turned out to saw wood in camp or to mow the grass of some approved high functionary of the new order, is not the less mentally busy while he pushes the machine—quite possibly more so. What does he think about? His past sins? He has probably done that thinking, as far as he could extract profit from the theme, and got done with it. What then? What would you think about in similar situations? Perhaps this: are there others in the same boat, and what could we accomplish together? In view of the number of such talent-idle fellows our policy pro-

duced, none of them need wholly lack for means of association.

And the talent-idle fellows, unitedly averse not to the justice but to the good sense of their treatment, once got together, might conceivably hatch up something having small resemblance to the democracy being everywhere kindly injected into the public mind. They might execute a Turn-to-the-Right, in the political sense. If this turn, finding bypaths of outlet, should look like a "resurgence of Nazism" to the busy reportorial hunters for shocks—with intimations to all Keep-Germany-Downers that now is the time to call aloud for more and better punishing—it would not surprise anyone who had considered the spot-wise sources of these unwelcome Right turns. These turns have been bred not by outcroppings of incurable German original sin—though Kant was probably right in finding original sin there as elsewhere—but very largely by our system of extensive degradations and defunctionings which prevailed until 1949 with no provision prior to that time for the healthy activity of the higher abilities of once-misled men. Shut off healthy activity; then expect unhealthy activity—for inaction you will not get.

For example, some of these tabled talents will be received, in spite of their years, into the *Bund Deutscher Jugend* sponsored by our official Central Intelligence Agency—no less!—to serve in a special "Technical Service" with special training (and a secret camp in Odenwald) and special orders to be ready—since by their foreground if not background they must at least hate communism (and probably socialism with it)—to strike swiftly and do commendable slaughter against a possible invader from the east (and perhaps to mow down a few respected home-grown Socialists into the bargain—does not "God save the Right" plausibly suggest "God blast the Left"?).

This and similar shady and shaded ingenuities are at least activities, with scopes for talent. They are ways of being alive, several shades better—these men would incline to think—than rusting and rotting in the upper stories of the mind.

Might it be possible some day to devise an equivalent activity or activities, open and above board, whereby a tabled talent, not incurably damned, could be permitted, *even invited, to aid in building up the social structure his earlier functions had tended to ruin?* Might it be possible to ask the omitted but pertinent question of *present-day allegiance:* and, on satisfactory answer, to call some tabled talent to come back? Even to *vote* him back?

My prognostication is that this step, like amnesty, will have to be taken; and that when it does occur honest co-operation will be found in four cases out of five.[6] And immersion of any man in the working-system of a normally directed society—a curative agency not counted on by us—will without dependence on words go far to finish the task of disinfection. There is a *vis medicatrix naturae* in the social as well as in the physiological organism.

6. It may also be foreseen, without appeal to astrology, that any such step will arouse much watchdog clamor to the effect that "The Nazis are returning." On November 11 of 1952, the *New York Times* carried two notes of alarm: one, an editorial on "German Elections," referring to "an ominous recrudescence of Nazi elements" and undertaking to calm apprehension while indicating (with special reference to the election of William Schepmann) that the renewed activity of former Nazis "comes as a shock to all decent men"; the other a letter, on the same page, signed by Mr. Henry Waldman who tells us precisely what we may expect—"The Hitler spirit did not die with Germany's defeat; it merely lay prone, and now is gradually coming to itself and soon will permeate the land." It does not occur to the writer of either article that their assumption—that the term *ex-Nazi* is equivalent to *Perpetual Criminal*—would doom Germany to constitute itself a living prison for a million able, unhappy, and rebellious spirits. The alternative is that ex-Nazis must widely find fit places in the new society.

(This prophecy, I find, is made after the fact. I learn through Dr. Arnold Brecht, that this step had already been taken in certain classes of cases, especially in civil service and business. And since the *New York Times* editorial referred to in the footnote, and the letter quoted, were also subsequent to these events, the prognostication of the footnote was amply justified. For those ready to see their error, the prolongation of disability is a fruitless deprivation for the community as well as for the person. Yet as late as January 4, 1954, a review by Mr. Joseph Kraft, in the *Times,* praises the book of Lewis Namier, *In the Nazi Era,* as possibly helping "the West remember that the Germans have never learned." One thing we surely have to learn is that the damnation of a race as incapable of learning—any race—is the damnation of those who have to live in the same world with it.)

VIII

Negative Phase: Résumé

Let us now briefly pull together the several strands of our effort to undo whatever was left in Germany of the Hitler spell, estimate their relative effectiveness, and ask what more had to be done.

For a task commonly conceived and spoken of as educational, it remains not alone striking but I believe significant how small a rôle was played by *explicit anti-Hitler teaching*. Even through our more informal agencies of press and platform we did surprisingly little arguing against Hitler theories or Rosenberg philosophies. We took instinctively a position psychologically stronger—namely, that there is a common moral sense of mankind, an unwritten common law in international as well as domestic matters. And if such common sense exists and therefore—in Germany as elsewhere—can better be assumed than argued for, the educational task can never be to create what is already there! It was President Ehard in his speech before the *Juristentagung* who said, "We do not need a statute defining mass-murder as a crime." If conscience in many cases needed to be released, it—fortunately for us—did not need to be created.

So far as there was mind-changing to do, the major influence continued to be The Defeat.

Not, however, because defeat was catastrophe, nor be-

cause it was punishment—punishing (if it punished at all) indiscriminately and beyond all measure—but because it meant a violent *reversal of the national purpose* and momentum. Change the goal of national effort, and you change perforce all included purposes, the aims near and remote of every citizen. No "reorientation" more radical can be imagined than that which the collapse of the Third-Reich Dream imposed on every German will, whatever its inner attitude toward that Dream had been. And in so far as "a self is a purpose" (as Royce puts it), with that realignment of purpose the person himself is altered.[1]

Then, in spite of the quick turning away of public interest in the long detail of its pleas and judgments, I would put in the second place the Nuremberg Court's painstaking *apologia* for the moral animus of the anti-Hitler war. Underneath all the criticism, justified and other, of the Court's status, procedures, sentences, and acquittals, there was a quiet, indelible impression of an immense undertaking being carried through with regard for standards beyond the moment and the specific occasion—a step taken, and duly documented, toward a defined international conscience depositing itself in legal form.

Very difficult to estimate in its balance of effect—its intended influence minus its large backfiring incidents—is our extensive and costly denazifying effort—the world's first scientifically-directed surgical operation on a body politic, our Nazi-ectomy, cutting out feared-cancerous tissue, and thinking hopefully the while that with each of our four hundred thousand sentences we would be making just so much the more emphatic what it was that we were condemning.

1. Thus, Karl Jaspers, anti-Nazi throughout, writes: "The loss of a faith makes a tremendous difference. All of us have somehow lost the ground under our feet." *The Question of German Guilt,* p. 21.

This hope was incredibly *simpliste*. There was, I presume, a cumulative negation into which these thousands of particular negations fused themselves, and which added a certain historic massiveness to the more dramatic work of the Court. But my final judgment is that this vast labor, after its first necessary stroke, did more harm than good toward the goal for which we were striving.

It is only fair to note that the German public, which had to bear the pains of this ambitious, well-meant, mischarted, first-attempt surgical experiment, and the additional pain of seeing its reasonable counsel rejected on several occasions, was in the main disposed to take the will for the deed. To some extent it realized, as we at first did not, that our mandate was one which we could not by any effort of our own fulfill—that we were in a trap of our own making. For, as co-receivers with our allies of a bankrupt German government, we dared not let go until this radical mental transformation was effected; whereas the transformation, being in the moral realm, was one which no power on earth except the German people themselves could achieve. This we have already pointed out.[2] The only hope, then, for a termination of the mandate was that the task, as we had defined it to ourselves, *did not require our doing,* either because it did not require to be done at all—and certainly no wholesale conversion of the German people was called for—or else because whatever change of heart was needed in segments of the people was being achieved at its own time-rate without our effort, through self-righting forces within the German nation, spurred by the historically altered situation and the recovered outer air.

In this brief segment of history, which later times will see as a crucial segment, it is important for us to read what hap-

2. Above, pp. 46–47.

pened with clear eye, crediting ourselves for what we did, not crediting ourselves for what was done by other agencies even when our efforts were in the same direction, and not refusing credit to the German people for what *they* did that we could not have done.

These things we did:

To the self-righting forces within Germany we gave effective aid. We furnished the stage-setting favorable to a recovered historical perspective; we removed the warping strain of police pressure upon all phases of life, upon free thinking and, by stages, upon the free expression of thought. We gave a provisional social and political set-up, with provision as well for its own internal change and growth. We brought to light many items of a suppressed true history of Germany itself during the Nazi period—data for German reflection to work upon. Meantime we kept Germany alive and in order. And we gave an element of hope and good will. Our Military Chief and our High Commissioner, General Clay and Mr. McCloy, were men who, fending off as best they could the destructive force of punitive directives, believed in the future of Germany and made that faith felt. These factors, rather than doctrines taught, whether negative or positive, were the chief contributions made by us to such change as was called for, hoped for, and as actually took place.

But one other item must be mentioned which could not be exclusively nor mainly our doing. Nothing, we have said, so shapes the quality and meaning of the day-by-day purposes of a man or a nation as the whole purpose in which these minor purposes inhere. The governing factor of German morale for today and tomorrow would necessarily be found in the answer to the question: What purpose or Dream, if any, is to take the place of the Empire dreamed

of by Hitler?—an Empire whose very conception implied unpeaceful subordination of East European and Ukranian national aims to a dominant German interest. No nation nor group of nations can answer that question for Germany: a national goal must always be the creation of national genius. But until a new national goal takes shape, no recovery from Hitlerism can be more than a rejection of evil without zest for new life.

For the recovery of such a national goal for Germany the Allies were not without responsibility: [3] it was for them at least to help in devising a national outlook worthy of German ability and genius. And various contributions were made during these years, the work of many hands toward building—if not a new concept of German destiny—a new concept of the Europe in which the Germany of tomorrow could forge a rôle. But herewith we have passed over from the negative to the inseparable affirmative aspect of any vital educational program for Germany. To this we now give attention.

3. We who declined to take part in the League of Nations—which proved so futile a support to the heroic efforts of Ebert, Stresemann and others in the Weimar Republic—to pursue a "policy of fulfillment" of the Versailles Treaty, have a special weight of responsibility. Also Great Britain, who not only at the end of World War I but in her African campaigns during that war played false to the "no aggrandizement" profession by easing herself into the control of German African colonies, under the guise of Mandatory Power, charging Germany with maladministration such as could be duplicated in every then colonial segment of the world, British included.

Part Three

THE AFFIRMATIVE PHASE: PROMOTING DEMOCRACY

IX

Democracy as Public Prescription

We had an affirmative program. We thought of it in simple terms: we were recommending democracy. We were going to illustrate democracy rather than define it, and explain it as we went along. For anything like a mass campaign, a simple handle, like "Democracy," is essential, far more usable in its vague common acceptance than a scholar's definition is likely to be. We had such a handle for the thing we were against: we called it Nazism. As I have insisted, this term was inaccurate and seriously misleading in practical policy, abetting the false impression that denazifying was literally what we had to do. Yet it was probably the most generally useful target-for-damnation we could use. We needed a similarly usable handle for what we were proposing in place of Hitlerism—what better term could we find than *democracy*?

The word has a motive force; the direction of that force was serviceably anti-Hitlerite: it asserts a popular right and therewith a popular responsibility in matters of government. We thought of democracy theoretically as a logical opposite of Nazism but practically as a prophylactic against its snares. If the German people went wrong by surrendering their own convictions and moral feelings to the control of a

Leader-group whose policies became more and more abhorrent to them as they, the people, became progressively powerless in its grip, why was not the most pertinent recommendation we could offer a call to belief in their own thinking and to the duty of holding authority over their authorities—an ultimate reserve-of-power of government by the people? In this broad and, I repeat, prophylactic sense, the term democracy was pertinent to our task.

Note that any such recommendation of democracy implied faith in the sound humanity of the German people. Otherwise a German democracy—on Carlyle's principle that "Bobus elects Bobissimus"—might as easily breed Hitlerism at the polls as our own democracy has bred at the polls an octopus-bureaucracy: a popularized Business (presumably anti-Big-Business) has elected Businissimus. Only a sound people can by its votes beget soundness in government.

But if the recommendation of democracy assumed a faith in the German people, why not democratically leave it to the German people to set up their own constitution? Why involve ourselves in the contradiction of dictating a democratic substitute for the old order?

The contradiction was there, staring at us from every corner, the armed Occupation holding the whip hand over the proposals of carefully set up German subgovernments. An occupying power cannot operate on democratic principles at the top level. How can it elicit a free press while announcing rules of what may and may not be published? Or develop the idea of a free economy while rigidly controlling the economy? Or cultivate popular participation in government while reserving to itself all decisions of genuine importance?

Part of the answer may be gathered from Rousseau, who can hardly be called a cynic: it was Rousseau who indicated that men must be "compelled to be free." The momentum

of the average human mind simply does not lend itself to thinking out the heavy work of governing a nation. Every man as a consumer of government has his opinion of the goods and ills of the actual government; but where is the man, German or American, ready to advise in a tithe of government decisions? And if we add "competent to advise," the number shrinks. Delegation of work is the essence of all government, democratic or autocratic. The popular share in governmental work, even in the most democratic states, is small in bulk, nothing but a minimum that cannot be delegated, the absolute reserve of judgment on the right-and-wrong, the decency-and-indecency, the wisdom-or-folly of major turns of policy. What democracy requires is not the omnicompetence of every man to every public act, but a habit of *marginal watchfulness,* on the assumption that what my government does on my behalf, and without my protest, that *I* do. This habit of marginal watchfulness has to live in the same head with the *habit of delegation,* which frees the mind of an impossible load of worry and an impossible task of being informed about everything. Democracy cannot be imposed from outside; but the habit of marginal watchfulness can be assisted into its slight, yet infinitely important nook and function. To this extent, Rousseau's remark was in order, and was exemplified in our modes of propaganda. We could and did authoritatively start a token democratization of German life.

Without German participation we could not have administered the country. Not alone the civil service, but the current political doings had to be German activities, more or less democratically organized, and giving scope to party difference within the German public. In addition to our own publishing, we could encourage that of the Germans—as I have already mentioned.[1] We could encourage the formation

1. Above, pp. 23 f.

of local groups for discussion and for shouldering bits of the immense task of recovery. We could open centers for meeting, *Amerika-Häuser,* with libraries, social events, lectures. We could arrange visits and exchanges to reknit community across borders. We did cultivate types of student organization which took helpful hand in the community tasks: students in Heidelberg University took over the restoration of the noble old Peterskirche. We could animate and help the democratic spirit in a broken nation, when every individual was understandably preoccupied with his own and his family's distress—helping them to that deed of mental generosity which democracy requires, a daily concern for the national on-going. We could supply the daily news, in an undisguised MG version, through *Die Neue Zeitung.* And we could inject a democratic flavor into the structure of the whole educational system within the American Zone, a point to which I shall be giving special attention.[2]

But first I should put into your mind, reader, a remark or two on certain disadvantages of the idea of democracy as the burden of our teaching, as it would appear to the German citizen.

Hitlerism Has No Single Opposite Number

That we were in Germany to write *finis* to Hitlerism was a self-evident mission. That the substitute for Hitlerism must be democracy was not self-evident. There is no single and exact opposite of Hitlerism nor of Nazism.

To be against Nazism does not imply being for a French way of life, nor a British, nor an American way of life, nor of any common denominator of these ways of life. If anti-Nazism had implied a single affirmative policy, there would have been in Germany after the surrender just one political

2. Below, Ch. XIII.

party showing its head. There were several such parties; and it cannot be said that democracy as we proposed it was a common element of them all. The distinction of Left and Right was altered but not abolished; the Catholic Center, strongly anti-Hitlerite especially in Bavaria, was far from seeing eye-to-eye with us on the democratization of German life and more especially of German education.

There is a broad sense in which anything antitotalitarian is *ipso facto* democratic. In that sense, there is no difference between our negative and our affirmative program, and democracy is simply there once totalitarianism is done for! But in the common sense of the term, democracy is one of several types of polity incompatible with Hitlerism. If you are for democracy you are certainly anti-Hitler: it does not follow that if you are anti-Hitler, you are certainly for democracy in our sense.

And since there were several possible antitheses to Hitlerism, it seemed to many Germans that it was for them rather than for us to choose between them.

In point of fact, so it seemed to them, it was the negative part of our task that was the legitimate part: the affirmative exceeded our mandate. It is of the nature of an aggressive war to have an affirmative goal. Nonaggressive wars, whether wars of defense or wars to defeat a menacing bid for world power, are always *against* something. Such nonaggressive wars have in recent times commonly adopted affirmative slogans, such as "war to end war," or "world peace," or "general security"; but obviously war is not the direct and relevant means to peace or security. It only serves the affirmative end if a particular threat to these goods has to be put down. It follows that the direct objective of a nonaggressive war is fulfilled when its negation has been achieved.

It was no accident, therefore, but in the nature of the

case, that our negative program should have been, as it was,[3] at once clearer, more emphatic, and more convincing than the particular affirmations we had to propose. And to indulge for a moment in a purely speculative question: admitting that pure negation is bad pedagogy, that the best way to drive out a bad idea is to insert a better one, that Spinoza was right when he said that a passion can be driven out only by a greater passion, could we have conveyed our affirmative proposals in the form of suggestion rather than command? Could we have contented ourselves with establishing the position, *No More Hitlerism!*—leaving the positive build-up to German planners with the wide leeway, "Anything but That"?

The Idea of Democracy Not New in Germany

A second disadvantage of democracy as a slogan was that to Germany it was an old and not too persuasive story.

Whether in Germany or elsewhere, multitudes of devotees of the great secular religions, the ideologies, found their cherished systems with their myths crashing about their heads, without thrusts from outside critics or prophets. Mussolini's followers, needing no teaching from an Occupation, were inclined to turn and rend his corpse. But, Spinoza to the contrary notwithstanding, the loss of a faith tends to require no immediate substitute, but rather an interval of emptiness, a vacuum. There is a period of aversion to commitment, the canny wisdom of the once-bitten, nihilism. The negative program of our Occupation had in its favor this bitter temper of a collapsed world-vision; our affirmative substitute had *against* it the inability of the deceived to take refuge immediately in another love, certainly not in a love whose call they had known of old time.

3. See above, p. 31.

To engage a swift devotion, the affirmative idea must have been more than corrective: it must have been capacious to what had been fascinating in the lost Dream and to more beside. Democracy, whatever its unexplored possibilities, and they are great, carried with it a suggestion less of growth than of return to the dated enthusiasms of earlier years, perhaps of earlier centuries.

For democracy and the Liberalism out of which it was born were familiar to students of European history as having roots in the dawn of modern Germany, in the Protestant movement standing for the rights of individual conscience, in the legal philosophy of Pufendorf, in the Kantian idea of law and world peace. Since 1848 there had always been a party in Germany for a liberal constitution; the great Civil Code of 1896–1900 was no stranger to rights and liberties of man; the Weimar Republic had no need to regard its principles as importations from non-German sources. Germany knew well what was meant by "individualism," had considered it and had thoughtfully put limits to its scope while we were struggling with its excesses and working toward a "sociological jurisprudence" which, in the thought of Dean Pound and the general trend of the nineteenth century, would dispense with "natural rights" altogether as the basis for a working law. The German sense of the reality of the corporate community (as expounded especially by Gierke) stood in sober contrast to the "West-European ideas" of an earlier France and England which had insisted on the primary character of individual liberties. This contrast was not an opposition, but a difference in emphasis on two aspects of political society which belong together. While in England Maitland, and later Ernest Barker and others, had been learning from Gierke how individualism can come to terms with corporate reality, German thought had once more turned an ear to west-Europe. Ernst Troeltsch in a memo-

rable address to the Berliner Hochschule für Politik in 1922 called the attention of the German nation to its own historic and continued commitments to Humanity, Liberty, Rights. Thus in the interval between the two World Wars a two-sided *rapprochement* in thought between Germany and west-Europe was under way. The ideas of democracy were a living part of the German heritage.

And Germans were to be pardoned if they considered that —just in view of this bit of history—their inherited concept of democracy might be an improvement on the eighteenth-century picture in which American and French democracies took shape; and that something was still to be learned from the ill-fated Weimar Republic. The tragedy of Ebert, whose downfall (and probably whose death as well) was due to his extreme scruple in the application of democratic theory, could signify to those who had been through that at first hopeful experiment how democratic methods could be exploited to defeat democracy. It could indicate that, at least in Europe, new chapters in democratic theory required to be written and that Germany could contribute to them.[4]

In any case, the proposal of democracy as a political solution could not come with the charm of novelty. And while our Occupation through its educational staffs, and especially through its advisers—such men as Carl Friedrich, Robert Ulich, George Shuster—was well conversant with the history of the democratic idea in Germany, much of our popular presenting of the democratic case bore the air of introducing democracy to Germany as a new and alien idea, to be defended (as was entirely right) on good Jeffersonian

4. The Military Government was instrumental in bringing out in 1948 a German version of Arnold Brecht's *Prelude to Silence*, a unique record of the closing days of the Weimar Republic and of the strange fatality of Hitler's advent, unchosen by any public will. This with Brecht's articles on Ebert are material contributions to the contemporary problem of democratic polity.

grounds and in terms of American experience, but (as was hardly persuasive) with amiable disregard of the serious thinking and effort which their audience had already invested in the subject.

A Certain Irrelevance

There was a further disadvantage in making democracy the main burden of our recommendation: democracy was not precisely on the mark of the main issue. As we commonly used the word, democracy is a matter of the domestic structure of community life, whereas our main issue with Hitlerism, and the definite run of our quasi-mandate, lay in the international field. Our concern was that the energies of the German people should turn to international peace rather than to war.

From the first, Nazism was a program of German expansion. In terms of its earliest public pronouncement (1920) it was a racial nationalism joined to a semisocialist base.[5] It was not, as the name suggests, a variety of socialism, but a mixture of socialism and nationalism—or let me say a solution of socialist ingredients in a dynamic nationalist mother-liquor. It was certainly not the domestic aspect of the program, as thus originally announced, which could stir us to crusade. It even included, perhaps as bait, various democratic trimmings such as a widened scope for public education (of which we later made a strong point), attention to public health, religious freedom on the foundation of a "positive Christianity," and the honoring of "labor of mind or body" by making it a public duty. But we might well have been disturbed by the avowed international implications of its racial nationalism, its open rejection of the

5. I say semisocialist, because room was left for private property and private industrial enterprise. Bolshevism was the enemy.

Versailles and St. Germain treaties, its call for gathering in from far and wide all Germans of pure stock, its demand for land and colonies for this enlarged and solidified population.

It is true that from the moment of Nazi official control, these threatening external policies were muted and even denied: European anxieties had to be lulled. The most considerate sentiments were expressed toward "the independence and equal rights of each people." As Hitler put it at the Nuremberg *Parteitag,* September, 1935, "National Socialism has no aggressive intentions against any European nation: on the contrary . . ." etc., etc. It could easily be supposed that Hitler's prodigious bid for Empire had its origin in his domestic perversities, the destruction of the Weimar Constitution and with it of individual liberties, the mass murder of Jews, the Gestapo terrorism; and that our quarrel with these was our primary quarrel. Our State Department in its White Paper on *National Socialism* (1943) locates the issue squarely in the home field: its opening statement is: "The political and economic principles of National Socialism are diametrically opposed to those of American democracy." It is not strange that we considered "American democracy" the exact and complete replacement for the intolerable police state.

But a little consideration will show that the order of genesis was the reverse: the internal abnormalities were derived from the officially-veiled world-ambition.[6] It was to

6. Here Goebbels' posthumously discovered diaries give explicit confirmation:

"Der Schwerpunkt unserer zukünftige Politik musste in der Aussenpolitik liegen. . . .

"The center of gravity of our future policy had to lie in foreign policy. Our measures in the domestic field had to subserve them. It lies in the nature of Democracy to realize its political existence through charitable and social activities in the domestic area; whereas, on the contrary, authoritarian-fascistic states, because of the dynamic of their

serve the Third-Reich Dream, Hitler version, that the totalitarian welding of the national sledge hammer for making that Dream a fact was devised; it was only for the sake of that Dream that its several internal stages were tolerated. And when the Dream collapsed, the internal Titanism disintegrated of itself. We had no further need to insist on its "diametrical opposite"—even if it had one—in the domestic field.

But we did have an obligation to deal with that shattered picture of Germany-in-the-world, and the supporting theory of the interplay of nations and races in world history—the breeding-place of the mischief. We had to face the insistent needs, now more pressing than ever, which gave that vision its baleful appeal: the striving of masses, aware of their high abilities, for scope, for a standard of living proportionate to that ability—their craving for happiness in terms at once of material well-being and of social recognition.

It was these needs, a heritage of the industrial revolution and the resulting vast population increase, that in the first instance made socialism a charm-word for the masses, but in the second instance stirred a mental search for the Strong Deliverer, perhaps in the guise of the Nation Militant. Nationalism and Socialism could thus appear as alternative paths of relief, perhaps as conflicting party programs. It was also conceivable that their allurements could be combined in an all-promising and reconciling synthesis: such a synthesis National Socialism undertook to provide. Its motive force was the stronger because its means remained unspecified: treaty-bonds considered unjust were (somehow)

ideas and the sense of power of their leading men, push steadily into the region of higher external policy and thereby into the centers of force of the great powers, and seek there a decision. Hence war was not for us a nightmare but an instrument of our policy which der Führer was ready to use when the situation should require it." Max Fechner, *Wie Konnte es Geschehen?*, p. 11.

to be broken, and the world-room which German multitude and genius were felt to deserve were (somehow) to be provided. The question, how, in a crowded world, Germany could fairly find such room, whether of geographical space or of function, Hitlerism tried to answer, and failed. Neither —obviously—if the question was legitimate, was it answered by the word *democracy*.

That word, proposed as a "diametrical opposite" and sufficient answer to Nazism, suggested that in our view the question was illegitimate, that the path of virtue in international affairs for Germany was, in view of their treason to Western civilization, to accept not more room but drastically less. And if, to the previous high population-density, further masses were added, twelve million or so from lost Eastern provinces, we, the Allies, would be sorry, but could only prescribe—at home, democracy (with dismantling of much German industry), and in external affairs, a love of peace!

In my student days in Berlin (1903) this question was already possessing German youth. They were reading widely; but it was not Hegel they were reading—it was more likely to be Gustav Schmoller, economic historian. Schmoller's homily, much condensed, ran something as follows: "See, gentlemen: this is the way Great Britain built her *Weltmacht*, mixing principle judiciously with lack-of-principle at critical junctures: we Germans must do likewise."

It was Schmoller's preachment, reappearing in more savage and violent form in Hitler's *Weltpolitik*, for which we needed to suggest a decent replacement. On this point "democracy" ciphered.

It may be said that the cultivation of democracy at home, while not precisely the same thing as the cultivation of peace abroad, is still the best preventive of war for national ends.

The prophylactic value is undoubtedly there: we have asserted it. We have, further, excellent German authority for this view. In his prophetic essay, *Zum ewigen Frieden,* Immanuel Kant raises the question whether the "republican constitution . . . is also the only one which can lead to eternal peace." [7] He answers that under this type of constitution there can be no war unless the citizens consent; and that the best security against such consent is the direct personal knowledge, which the citizens have, of the costs and sufferings of war. In no other type of constitution is war-making nearly so difficult. To this practical consideration we may add that there is also a natural harmony between democratic dispositions at home and pacific dispositions abroad, once we root democracy in something deeper than social utility. Respect for the neighbor's freedom as well as one's own, inherent in democracy, if anchored in principle would extend to mankind everywhere. In this case, the planning of a war of subjugation could hardly get a hearing. Democracy, thought through, does cast its ballot against aggression, as well as against imperialism generally—including the imperialism of several "democratic" members of the U.N. Does not all this justify our concentrating on democracy?

I think not. I see no sufficient reason for not putting our main stress on the main issue, if we were prepared to deal with it. For the fact remains that the disposition to peace, however favored by democracy, is neither logically nor factually bound up with it. Unless, for example, we are prepared to say that all the members of the U.N.—who by initial screening if not by definition must be unanimously peace-loving—are also unanimously democracies (and where is the bold man that will assert this?), peace-lovingness does

7. Quoted from the excellent translation by Carl Friedrich in *Inevitable Peace* (Harvard Press, 1948), p. 251.

not strictly require democratic organization. And if not, we were hardly in a position to require it of Germany. Neither, if history can be called to witness against Kant's hope, does democratic organization peculiarly assure the disposition to peace—if a democracy, for example, should conceive itself as having a "Manifest Destiny." The two variables, democracy and love of peace, thus have a large degree of independence. To just this extent, our emphasis on democracy was weighted with *a certain irrelevance.*

And while it is true that the respect for human dignity inherent in democracy, when thought through, indisposes one to use war as a means to national ends, it has to be said that, as presented, democracy is not, and was not, usually thought through on these lines. And further, there remains a radical difference between problems of domestic order (in which the postulate of equality among legal subjects is usable) and those of international order (in which equality as an hypothesis appears contrary to some of the relevant facts).[8] The question therefore remains, *Why not treat the main issue mainly?*

Not having done this, we can understand a widespread impression that a costly and well-meant effort was aimed at the wrong target.

I point out these disadvantages in order to throw light on somewhat obscure inner resistances which our pressure for democracy met, and which we were sometimes tempted to misinterpret as resistance to democracy itself. The resistance was a natural response to the circumstance that we were acting on a faulty analysis of the German mental and moral problem. And the partial irrelevance of our objective created for ourselves a false standard of success: we repeatedly put

8. *Spirit of World Politics,* chaps. 27–31.

to our work the question, "Are we making democracy—our democracy—grow on German soil?" And having to make more or less dismal answers to this question, we tended to acquiesce in a verdict of failure occasionally uttered, industriously spread by Sagacious Reporters, and enjoyed by the Keep-Germany-Down contingent at home. Thus, an officer of the Occupation is quoted as saying (April, 1950), "We are just beginning to realize what a flop the education program has been in our Zone. There are some items on the credit side, of course, like the free university of Berlin, and student-exchange projects; but compared with our resources and responsibilities, the debit side is shameful." [9]

But suppose we were to reject our officer's criterion of success: would we not then be free to reject also his particular verdict of failure?

9. Cited by E. P. Morgan in an article in the *New York Times,* April 2, 1950. The officer's further words are significant, as indicating his idea of how the record might have been improved: "Now that we have handed virtually all controls back to the Germans, we can do damn little about it." This suggests that in his view a prolongation of military controls might have wiped out the deficit, though just how they would have operated deponent sayeth not! His face toward the educational task seems to be in accord with that of Mme. Irene Giron, cited by Mr. Morgan in the same article, Mme. Giron being at that time deputy director of cultural affairs in the French Zone, where the newly created university at Mainz had 6,000 students. She is quoted as saying in an interview, "By abandoning controls we have lost our chance to kill German nationalism by direct action in education."

And if we still grope for details of the "direct action" thus hopefully indicated, it is possible that Emil Ludwig's striking prescription would be of some help. Mr. Ludwig, writing from Geneva April 14, 1947, denounces "the spinelessness of German intellectuals" and derives therefrom the conclusion that "education and conversion of German youth is impossible if it is preached with gentle words, instead of being guided and ordered by the victor with an iron fist." I have read Mr. Ludwig's letter with care, and am still in the dark as to how the iron fist works in promoting democracy: I get the merest hint of Hitleresque "indoctrination" at work on the wrong side of the fence.

I reject them both. It is true that we expended immense effort and millions of dollars on the partly mistaken goal of making the State Department's "diametrical opposite" of Nazism, American democracy, sprout and burgeon in Germany; and the growth was feeble. But in terms of its legitimate objectives, our work was not a failure. We gave a much-needed boost to the German conception of a democratic domestic polity. After what many of them took to be "the Weimar fiasco," we encouraged the German people to give that experiment a further hearing, in the light of American experience; and we were able, to a considerable extent, to cancel the association of "democracy" with "futility." [10] That was vastly worth doing; and in the field of domestic order, that was about as much as was either necessary, or within our mandate.

It is to the credit of German leaders that, on the whole, they not only gave their own ventures in democracy a new and open-minded consideration but also made the distinction which we were not always prepared to make between American democracy and democracy in its root principle,

10. The fading of the fragile Weimar Republic into the "strong" government of the Nazis (so cordially welcomed at the beginning by surrounding European powers) was indeed due in some measure to types of political weakness inherent in democracy, such as the unstable balance of party coalitions and the felt necessity of according the rights of liberty to enemies of liberty. But it was partly due to extraordinary burdens which any German government at that time would have had to meet, some of which came from the Versailles reparations clauses; and in part to the pure accidents of personal circumstance—Stresemann's ill-health, Hindenburg's incipient senility, the devious opportunism whereby Hitler could swear allegiance to the Weimar Constitution while noting the loopholes through which that Constitution could be constitutionally undermined. Making these allowances, the democratic element in Weimar can stand well in the judgment of history. I again refer to Arnold Brecht's indispensable account in *Prelude to Silence,* as extraordinary in its unembittered spirit as in its factual record, and its analysis of cause and effect.

capable of embodiment varying with historical situations. Through German eyes, our interpreters of democracy often gained new conceptions of what democracy essentially is, and can be. The teaching process, between men of good will, is fairly sure to run in two directions and not in one only. This was commonly the case in Germany.

And as the best minds on both sides, Occupiers and Occupied, drew toward convergence on the special issue of democracy, it became possible to say that the German situation on this point was—if not entirely to our blueprint—essentially satisfactory. If it had not been, by what right could we have considered an early termination of the Occupation? We had, in effect, to solve to our own satisfaction the unsolved problem of the earlier mandates: Under what circumstances is the mandated nation ready for self-government? [11] During 1952, we officially reached that point. As Mr. McCloy's term of office drew to a close, the High Commissioner's Office was reported to have stated publicly its favorable judgment of the prospects of democracy in Germany. As against the criers of failure, this judgment deserves confidence.

The reported statement, as of February 3, 1952, includes in these words the belief of MG

> that democracy in Germany, encouraged by millions of dollars spent, among other things for exchange scholarships, reading rooms, information media, and lectures, is hardy enough to ensure that when Germany regains her political independence under the contractual agreement, and "the storm comes" from the militant political Right, German democracy will survive.

The democracy here declared well-rooted is "German democracy": it is the broad domestic counterpart of any totalitarian régime, a constitution in which human rights and

11. *Spirit of World Politics*, pp. 300–309.

popular participation in government resume a place similar to that given them in the Weimar Constitution, with better safeguards against abuse.[12]

But the "storm" that is expected to come from the militant political Right—what is that? It is, in part, the dreaded, suspected, to some extent existent, "resurgent Nazism," the unscotched spark of life remaining in the Hitler serpent. But it is also in part *one reason* for the persistence of that spark of life, namely, our unfinished business in the international field—that part of the German problem, its heaviest part, to which we have given no direct answer. Did we avoid it because we had no answer to give?

We shall return to this question[13] after considering a remarkable phase of our affirmative teaching, a phase to which we have here and there run tangent, but which, because of its bearing on the whole work of education, whether in Germany or in America or elsewhere, deserves a place by itself. It is not directly a matter of teaching democracy, but of democratizing teaching.

12. The Weimar Constitution had its equivalent of our Bill of Rights: sections 114, 115, 117, 118, 123, 124, 153—suspendible by the President in emergency (article 48), and suspended by Hitler, February 28, 1933. For a German statement of the essentials of a democratic state, and for an example of such a democracy at work, profiting by the Weimar experience, defending its existence against an attempt to restore some part of NSDAP, see the judgment against the "Sozialistischen Rechtspartei" of October 23, 1952, *Das Urteil des Bundesverfassungsgerichts* (Tübingen; Mohr, 1952), esp. pp. 16 and 17.

13. See below, Ch. 14, pp. 202–203.

X

Remaking German Education

Referring for a moment to our negative work as a background: the educational institutions of Germany, folk-schools, higher technical schools, gymnasia, universities, had been pressed into the service of the Hitler ideology. We had, as an essential part of our denazifying program, to undo whatever might still remain of this pipeline for poison, even if the central reservoir had vanished.

The case was unusually difficult because of a certain suggestibility (recent in growth) of the professorial mind toward governmental authority, which Emil Ludwig too drastically called "spinelessness." At any rate, the academic profession as a whole had shown less backbone in resisting the prostitution of its authoritative position than had the religious leaders. I have already pointed out that eighty-five per cent of the teachers of Germany became members of the Nazi Teachers' Federation simply as the accepted way of retaining their positions, with or without approval of the Nazi tenets, and for the most part in complete but silent hostility to the later Hitlerite abnormalities. There were distinguished exceptions to the rule of conformity. Wolfgang Koehler, Director of the Psychological Laboratory at Berlin, opened his lectures in the fall of 1933 without giving the officially requested Nazi salute. He announced that he objected on principle to governmental dictation in academic

matters, and continued, "Gentlemen, I respect your convictions, and I expect you to respect mine," a sentiment which was greeted with warm applause. It became prudent, however, for Professor Koehler to resign his post and come to America.

Though many of the most conspicuous academic supporters of the Nazi régime had removed themselves after the Defeat, we found much to do in the way of cleansing the sources of instruction. By way of improving on our own First Amendment, we showed little tenderness toward academic freedom as including a freedom-to-teach-lies; and we had little doubt that we as a Military Government-with-a-mandate knew an academic lie when we saw it, especially the particular lies we were there to expunge. We authoritatively intruded to remove those who had favored or condoned or yielded to authoritative intrusion in educational matters from the Nazi quarter.

The result of this screening of the staffs of instruction was necessarily a patched-up personnel. Our decisions often had to go against the most competent specialist in favor of a man of lesser ability but above suspicion of yielding to Nazi pressure. Not a few strong men, removed by the Nazis, now returned to their posts. But the faculties would have been feebler than they actually were had they not been eked out, here and there, by volunteers from across borders—from English, French, Dutch universities. There were also American contributions, notably that of the University of Chicago, with support from the Rockefeller Foundation. This university sent groups of professors, eight or so at a time, for semester periods, to the University of Frankfurt (and with some return visitors from Frankfurt to Chicago). This undertaking, considered at first as a two-year experiment, proved so valuable to students and faculties that it has been continued with State Department aid.

In spite of all obstacles, in 1948, university faculties were on the whole creditable, somewhere near normal competence if not of the former outstanding power. To the mutilated buildings, at first unheated and unlighted, and to the fragmentary libraries, many of which had been gutted, students flocked in disconcerting numbers with an old-time eagerness whose intensity stood out sharply against the background of a forbidding future for all German youth.

The Dutch people, having had much cause for lingering wrath in view of German behavior during their Occupation of the Netherlands, and only slowly inclined to extend the hand to German scholars without some overt act of repentance, nevertheless "knew their duty *vis à vis* the Germans" and organized ways and means to help German institutions onto their feet. They attempted no "re-education," but they invited certain German scholars whose anti-Nazi record they had known, to come for a time as guests to Holland, to confer with Dutch scholars, and to breathe again the air of a free mental life after stifling years of repression. Though not encouraged to do so, Dutch scholars were, with special leave, permitted to travel in Germany and meet as colleagues with their cospecialists. There were exchanges also at other levels: delegates from the Dutch Council of University Rectors, by invitation from the corresponding German Council, participated in a discussion of common university problems. Dutch and French student organizations, likewise, organized summer camps on German soil for Dutch-and-German or French-and-German student groups, doing their part for the recovery of a universal community of learning.

Wholly without doctrinal purpose, such manifestations of good will from a still officially-hostile outer world did their own teaching; and the gratitude with which they were received was the most convincing evidence that the mental storm-cloud of Hitlerism had passed. Such details, for ex-

ample, as gifts of books for destroyed libraries. In the American Zone, the universities of Heidelberg and Erlangen, with their libraries, remained fairly intact; other libraries and the stocks of many publishing houses were largely destroyed. The American Library at Nuremberg, built up over many years by Dr. Eduard Brunner, in 1948 Rector of Erlangen, was wiped out in the bombardment which flattened the beautiful, irreplaceable old city within the walls, while leaving Hitler's Nuremberg, the industrial city, and the courthouse-prison buildings unscathed. This militarily meaningless bombardment, like that of Dresden, was carried out, one regrets to record, by American air forces and the R.A.F. Much of the destroyed American library can be replaced, and is slowly being replaced, to some extent by American gifts: conversation of this sort was worth many arguments in displacing any lingering trace of the Nazi ourselves-alone mentality.

But we were not simply restoring a former system while replacing unsound parts; we were at the same time *remaking the system,* in the interest of a more democratic view of the entire educational task.

On the part of the Germans in our zone there was, significantly enough, no visible tendency to restore the Hitler scheme of schooling. This scheme removed boys and girls early from the influence of parents and ran them into the hard grooves of state supremacy. Considered solely from the point of view of building a mighty armed power in the briefest time, the Hitler system remains a *tour de force* deserving the study of educators. Its youth cadres with their cultivation of work, joy, health, travel, song, on bases already well-rooted in German life, all held in a philosophical outlook, have permanent possibilities of value. This philosophical outlook (like an algebraic coefficient) governed the

plus-or-minus value of the whole affair—salutary or pernicious. It was asking too much of German parents to trust this fateful plus-or-minus to the state: already in Dubrovnik (1938) we had heard German parents speaking with anguish of "losing their children" to the hard mercies of the Party. The German home was now resuming its strong place in child-training. The inclination of the German educational program, as it pulled itself together, was to revert, not to the Hitler, but to the pre-Hitler scheme of things. And to our official eyes, this scheme appeared almost as little promising as the Hitler scheme itself—for had it not lent itself to Party uses? We saw it as "authoritarian," or "reactionary," or "aristocratic." It tended, among other things, to create or confirm a class separation between the working masses, who had the Volksschule education with perhaps further technical training, and the gymnasium-university student group, whose parents could afford to give their sons long years of leisurely classical studies plus four or more professional years in the universities. We undertook to remedy such defects.

Our specific suggestions (as I found them in 1948) were embodied in Directive No. 54, "Basic Principles for Democratization of Education in Germany." This directive, "approved and signed by the Coordinating Committee," contained ten principles of a general nature. These principles were to be reduced to a working plan by a set of implementing instructions which German educational authorities were requested to supply (here the democratic principle modestly shows its head). The ten principles, somewhat abbreviated in expression, were as follows:

1. There should be educational opportunity for all.

2. Tuition, textbooks, and other necessary scholastic material should be provided free of charge in all educational

institutions fully supported by public funds which cater mainly to pupils of compulsory school age. Maintenance grants should be made to those who need aid. (The same provisions were to apply to universities.)

3. Compulsory full-time school attendance should be required for all between the ages of six and at least fifteen, and . . . at least part-time compulsory attendance up to the completed age of eighteen years.

4. Schools for the compulsory periods should form a comprehensive educational system—"elementary" and "secondary" to mean consecutive levels of instruction, not overlapping types of instruction.

5. All schools should lay emphasis upon education for civic responsibility and a democratic way of life by means of the curriculum and the textbooks, and by the organization of the school itself.

6. School curricula should aim to promote understanding of and respect for other nations, and to this end attention should be given to the study of modern languages without prejudice to any.

7. Health supervision and health education should be provided for all pupils and students.

8. Educational and vocational guidance should be provided for all pupils and students.

9. All teacher education should take place in a university or in a pedagogical institution of university rank.

10. Full provision should be made for effective participation of the people in the reform and organization, as well as in the administration of the educational system.

This directive is couched in the subjunctive mood. It consists of should-be's, not of must-be's; goals being for the most part impossible of immediate attainment. For example, "compulsory full-time school attendance," was wholly out

of reach in a Germany where most children had to join the scramble for food and clothing.

A beginning could be made toward some of these objectives. Already in 1948, opportunities for university study, such as they were, were open to German youth far more generally than they had been in prewar Germany. The son of a Rhineland farmer could be welcomed in Munich as candidate for a degree in law. Hitler's ex-soldiers were from all social sorts, and had through the proceeds of their army service (until the currency reform, which suddenly collapsed the worth of their savings) an approximately equal chance to study.

Something, too, could be done toward gathering the potential pupils of the Volksschule, the common public school, together, and starting them on their long term of compulsory schooling. To embody the ideas of points three and four of the directive, it had been decided that the time when all German children should be educated together in the Volksschule should be increased from four to six years: this was more democratic. To be sure there were neither schoolhouses nor teachers for so many, but no matter: the children in Munich could be collected in odd shelters and make-shift rooms for three shifts per day, an arrangement which was in effect at the time of my visits. This was far from the "full-time" attendance sought; but it was something.

This change in the Volksschule years meant that the Gymnasium years would be reduced from nine to seven. So much less time for the Greek and Latin classics. The old thorough "Humanistisches Gymnasium" would be robbed of some of its austere ascendancy. Naturally, there were many devoted to the older plan to whom this change seemed an intrusive and ignorant attack on a vital part of the educational scheme. After all, they reflected, our military victory was not a necessary token of educational superiority! Why

should not German scholarship continue, like the Oxford "Greats," to approach the whole enquiry into the meaning of Western civilization through language, literature, and philosophy?

The demands on the curriculum, as in points five and six, were likewise places of resistance: they appeared doctrinaire and trivial. Both the schools and the universities balked at being pushed into "social studies," with a democratic moral, on the basis of an American superstition to the effect that social life is reducible to scientific analysis and guidance.

In Bavaria, it fell to the lot of the German Minister of Education, Dr. Alois Hundhammer, to reduce this directive to working terms. He submitted a plan; it was rejected by the Military Government as not carrying out the directive in good faith. He revised the plan; his plan number two was likewise rejected, and with a reminder that the Military Government meant business. He produced plan number three which appeared satisfactory; but Government had the uneasy feeling that it was meeting a silent and widespread resistance, instead of the willing co-operation with which others of its suggestions had been received.

Members of the MG's Division of Education and Cultural Relations, with whom I had exceptional opportunities to discuss the situation, felt that the Germans were showing a deplorable stubbornness against obviously needed revisions of their antiquated curricula. Students could move gaily through their professional reading blind to facts of their own economic and social life which most concerned them, and which elementary initiations into these sciences would vastly illuminate. The issue seemed to me far less clear, for several reasons:

I doubted whether the relatively minor place of social studies in the curricula meant that German students were uninitiated into them. I recalled that in Berlin, in 1903,

economics, economic history, economic geography and anthropology, psychology and social psychology were not alone on the university program, but were widely read and discussed among students. I doubted, too, whether the task of the university was to provide access to current facts, rather than to develop the powers which would give the student both the means of access to facts and the far-more-difficult-and-rare principles under which those facts may be interpreted. I had, further, a conviction that intensive studies of history and language—which may be deadening and with dead teaching are sure to be—*may be* extraordinarily fertile in developing powers of judgment far beyond their nominal limits. I seemed to recall that one of the newer emphases in historical anthropology and sociology is the central importance of *language* as a key to all cultures—to their logic, their art, their ethics, their world-views, their political faiths. Perhaps, I thought, our social science was proudly catching up with, and rating as a first-rate discovery, what German intuition had long ago built into its educational program, not to mention the British and, still longer ago, the Chinese. In any case, I felt a doubt whether, even if we were entirely right, the German people were not the best judges of the needed changes in their system, the more so since we must shortly leave to them the execution of any program.

Compare our experience in this respect with that of the British in their zone. They had a similar idea that there was something wrong with the German universities. In 1946, a delegation of the British Association of University Teachers studied the matter and made a highly critical report. The universities, they said, were "centers of reactionary social thought." This report, from a perhaps Leftish foreign body, was resented by German scholars. The British saw a light: "Reforms," they judged, "can be made only by German

Governments and German public opinion" (*Manchester Guardian,* Dec. 16, 1948). General Robertson appointed a commission to study the subject—but it was a German commission, with two attached non-Germans, Professor von Salis of Zurich and Lord Lindsay, Master of Balliol. This commission, in 1948, brought in a unanimous report.

It gave strong praise to the traditional *Lehrfreiheit* of the German universities, on the plan laid down by von Humboldt in the early nineteenth century—"a notable achievement of German civilization," comments the *Guardian.* But this very freedom allowed them to move toward a conception of *Wahrheit,* a form of truth which could abstract itself from current social life and problems. As a result—so they read cause-and-effect—"with some heroic exceptions they put up very little resistance to the Nazis." The commission enquired whether they could make a fuller contribution to the nation, considering it to be the function of the university "to serve mankind by the teaching of that truth which comes from scientific research into reality." Its main proposals may be compared with the ten of Directive 54. They are:

1. University education is to be made possible for all classes of the population . . . including the working class.
2. For each university, there should be a "university council" to make closer the relation between the university and "all sections of the population."
3. A wider conception of teaching: the teacher to take his place alongside of the research worker.
4. An aim to give all students a notion of the "unity of culture" through a *studium generale,* a general education alongside of their specialist training.

On this last point, Lord Lindsay commented that such a *studium generale* is needed in England also. (We recall that Harvard University has recently issued a report on "General

Education," having a similar purport, and that this report is now implemented in undergraduate instruction.)

Remembering that the British report concerned only the universities, and not the general educational system, there is a striking agreement in the tenor of the two sets of proposals. The first point, that of widening educational opportunities to all classes, is in substance identical. (This is in accord also with the drift of the U.N. Declaration of fundamental human rights, which in its social list includes a right to education.) It is also the movement of all modern societies, as their increase in capital wealth allows the expansion of the years of dependency and training. Twenty years ago, Ernest Barker reported after a visit to the United States that we were educating in our colleges and universities eight times as many persons per unit of population as in England. This did not necessarily imply that we were more eager for learning; but it did imply that the general level of wealth was higher. It is pleasant, and perhaps good, to aim at giving every citizen a college education—though Ernest Barker was not convinced of it, nor am I—but it is wholly footless, *unless we can foresee or furnish the elaborate economic foundation required.* Lesser total national wealth means a small number of college-bred persons. This is neither a calamity to the nation nor a hardship to the individual, provided the principle of selection is such as to light on those who can best profit by it, and omit those who consider it time out for a lark, or for making profitable connections, which is a large fraction of the story of American college life today.

Again, Point 2 of the British report, bringing "all sections of the population" into consultation on university matters corresponds with point 10 of Directive 54. With this should be mentioned the fact that while the commission appointed by General Robertson was a commission of Germans, it was

not wholly a commission of university men: trade unions and other groups were represented. It is not surprising that such a commission should recommend the lay connection. This "widest emphasis on the service of mankind" (Lindsay), which strikes a familiar chord in the pragmatic breast, and has large possibilities of good, has also possibilities of mischief according to the powers vested in the lay factor—as the influence of alumni opinion on college life and athletics in the U.S.A. may illustrate. No significant university work can be built on a basis of popular suffrage, or any shadow of it.

Of the call for a *"studium generale"* I shall speak later. Meanwhile, however, it is time to come still closer to the living facts of German education. I have frequently referred to the ex-Nazi soldiers who are now university students. I now call on one of them to speak for himself.

XI

A German Student Speaks

I have referred to the *Juristentagung* at Munich in June, 1948, and to the fact that hundreds of students were present —the sessions of the Conference being held in the Aula of the University, one of the few rooms which had come through the bombardments fairly intact. They had their own non-verbal comments to make on the two addresses of which I have spoken, that of Minister-President Ehard of Bavaria and that of Mr. Charles M. LaFollette, American Director of Württemberg-Baden. But it was the third address of the morning of June 2, which became the theme of conversation between me and a trio of these students. Professor Erich Kaufmann, Professor of Law in the University of Munich, spoke at length on the status, at international law, of Germany under the Occupation.

Professor Kaufmann's address was frank in expressing the legal anomalies of the existing situation, and had somewhat the tone of a lament. There was a formula to which he recurred, as to a refrain: *"Eine Besatzungsordnung ist immer eine Fremdherrschaftsordnung,"*—the régime of an occupying power is always a régime of alien domination. (During this discourse, he incidentally raised the question, pertinent to our study, *"Ob eine Bestzungsmacht wirklich erziehen kann,"*—whether an occupying power can really educate—with an open implication of doubt.) At the close

of this much drawn-out speech, there was a general exodus for lunch.

As I moved slowly to the rear of the floor of the Aula, I saw three young men, apparently students, sitting in close discussion. I introduced myself as an American and, assuming that they were occupied with the speech of Professor Kaufmann, asked their opinion of his thesis that *eine Besatzungsordnung immer eine Fremdherrschaftsordnung ist.* One of the three spoke up at once, "Das ist selbstverstandlich; es kann nicht anders sein!"—"That goes without saying; it cannot be otherwise!"

"A good answer," I said, "but where do we go from there? The Occupation has now continued for three years: is there not now the beginning of a friendly understanding between the MG and the German people? Is it better, or is it worse?"

The same boy replied, "Es ist schlimmer!"—"It is worse!" A third boy answered, "Nein, es ist viel besser!"—"No, it is much better!" During the next half hour there was a to me enlightening development of these contrary views. "What," I asked, "are the things which you students find most burdensome?" The first reply bore at once on the matter of democracy: "Your soldiers are everywhere about our streets; more or less of our own age; they pass us by as if we didn't exist; there seems to be no possibility of an exchange of ideas with them." Another added a gloss with a bitter touch in it: "They are ready enough to make friends with our *Mädel;* but they have no use for us." There were a number of other observations. I realized that our soldiers, rank-and-file, were a pervasive and significant part of our teaching of the "American way of life," a continuous argument pro or con or both.

The particular point about conversation between American and German boys seemed to me important enough to bring to the attention of Headquarters, which I did that

same afternoon. I was told that the students' comment was substantially, but not entirely, correct. Spontaneous "fraternization" had been forbidden from the outset of the Occupation, and though the original ban was off, actual mingling had not been positively encouraged, because, after all, we were in Germany to do a job whose first premiss was military necessity, and our soldiers had to represent that necessity.[1] There were, however, four organizations in Munich which undertook to provide occasions for meetings between Americans and Germans; but they were "a drop in the bucket." I had already told the students that there were reasons for their difficulty which had nothing to do with American offishness, the most obvious of which was the language inability of the American soldier. Then there was the fact that the Americans were a shade younger and considerably less mature: they would have little to offer on matters of world politics or on the way things could untangle themselves. And finally, they were rather unwillingly in Germany, chiefly concerned with getting back home, and hence devoid of any sense either of opportunity or of mission.

(Of myself I asked the question, Why is it that these soldiers of ours, products of the most liberal public schooling in the world, show so little interest in their extraordinary situation and its meaning, backward and forward in time? Are they as devoid of intellectual and aesthetic curiosity as they seem? Is it because they have not suffered that they seem so empty of youthful feeling? Is it because there is a relaxing element in the cult of freedom, in and out of home and school, that they show "no hardness of intellectual discipline?"[2] Is there something wrong with our own education?)

1. After 1950, I am told, this attitude was reversed.
2. President George Shuster's phrase.

As we broke off our talk, in the interests of lunch, I gave the boys my address—until end of June at Leiden University, then at Madison, N. H., U.S.A. I would be glad if any of them felt inclined to tell me more about the experiences, judgments, outlook of the German student. I hardly expected anything. After I had been home a month a letter arrived addressed to "Professor Hocking, University of Leiden, Madison, N. H."

The writer began by introducing himself: "In order that you may know with whom you have to do, I will briefly inform you about myself. Twenty-six years old, youngest son of a farmer's family in Rhineland, now six semesters in the study of Law. Before the war, three years in Holland, five years a soldier, wounded three times."

"Twenty-six!" In 1948, almost everywhere one would have been struck by the high age-level of the university students. In Professor Wenzl's philosophical seminar I judge that the average age would have been over thirty. What impressed me about the letters of this student, however, was another kind of maturity—a sense of proportion, the amount of meaning he could bring to the large contending concepts and ideologies of his world. He spoke of the Eastern (Soviet) and Western outlooks, of democracy, Christianity, capitalism . . . with a solidity of sense which showed that he was not speaking out of a schoolbook or a set of lecture notes—his words had the tensions of the actual world in them. Here are some of his paragraphs:

"My political outlook is still flexible. The Parties from the East can offer me nothing, because I learned of the Soviet Paradise at the outset of the war in its own place and home. . . . As for the Western Parties [including, of course, U.S.A.] they lack political leaders to whom I would be inclined to entrust an entire people. . . . The fact that in the Eastern section of Germany, besides the economic 'nov-

elties' the human spirit is also held in chains marks a step of progress backward toward Totalitarianism. But how does it stand with us in the West Zones?

"Here Democracy is the trump card. But this word is daily abused and so shamed that it begins to make for itself its own dirge. What is and what ought to be lie too far apart. What Democracy ought to be we well understand: it is by now well-known even in the lowest circles. But that it here represents only a façade, surely everyone or almost everyone must have grasped this fact. Governments set up with immense expenditure according to the rules of the democratic game remain phantoms if they lack the competence necessary for economic improvement. . . . Why is there on the one side so much loudly propagandized help, and on the other side the continued dismantling of industry? Surely I cannot steal a person's shoes and then say to him, 'Now you can walk better because you have no shoes to carry': this is very much the situation in West Germany as I see it.

"To this must be added certain incursions into the fundamental rights of the people [is not democracy concerned with the rights and freedoms of the people], for example into education, refusing us permission to take whales in the open sea, the destruction of the cartels. . . . If Germany could become an equal partner in the Marshall plan, then everything would at once be changed. . . .

"Now as to my condition and that of my fellow students. . . . For about three years I have had the normal ration, dry bread in the morning, a midday meal mostly without fat or meat, in the evening again dry bread. . . . We go about in shabby clothes which we were already wearing before the time of our military service, and we do not change these because most of us have nothing to change to. We shall shiver through the third winter in unheated rooms. But why? Because we are concerned with something higher, the

culture of the West. This civilization may go under with us, but it will not be *through* us. What we want to do is simply to make Germany what it was, the center and hearth of the Western mentality, building itself upon the threefold basis. . . .

(I pause to enquire what the reader would himself insert at this point as the "threefold basis" of the Western mentality, or "the culture of the West." Does it have a "threefold basis?" One must have something of a philosophy of history to talk so firmly about the sources of this present civilization. How did the Rhineland farmer's youngest son, the ex-Nazi soldier, reach his conclusions on this historical matter of first present-day importance?)

". . . building itself upon the threefold basis of classical antiquity, Christianity, and the German tradition. . . .

(One might imagine a *humanistisches Gymnasium* having something to do with this picture of foundations, but it is fairly certain that this boy never found time in his life for that long training. You and I might begin criticism by pointing out that he has said nothing about the scientific and legal bases of contemporary life. He might reply, and I think validly, that the legal bases are found in the Codex Justinianus, the Stoic philosophy, and Christianity; the scientific bases, at least the earliest of them, in Greek mathematics and the Christian origins of the empirical conscience of modernity.)

"For this type of education," he continues, "no office [under the MG] has as yet shown any understanding, and there is little prospect that it will appear there. Many students are saying, 'Let come what will, it cannot be worse.' Many become Nihilists. . . .

"[For myself], I stand on the basis of a Christian ethic, on which solely and alone the world can again become sound. I reject a Russian socialism just as I refuse an Amer-

ican dollar-imperialism for Germany. I plead for, and will give myself for, a Germany which, in the frame of a European [this was in 1948] or perhaps a world-federation, can stand as an equal and free factor among peace-loving peoples. ["Peace-loving" did he say? That was his word—"unter den friedliebenden Völkern."]

"I believe in spite of everything in the triumph of Christianity, in the unchanging mission of a man and of a people, in a future Freedom, in a Peace, and in an understanding among the peoples.

"Perhaps I am wrong. Who knows? . . ."

(This is, to my mind, an extraordinary credo for an ex-Nazi soldier. A second letter reaffirms the substance of this I-believe, but indicates that he feels himself in need of some further Idea-grounding, more directly pertinent to the present world situation. He describes his state of mind as having "perhaps the spirit of Goethe's Faust, the eternally seeking . . .")

"I do not doubt the capabilities of America. But in all the Western lands, does there not seem to fail *die tragende Idee*... . ." (Literally, the "sustaining Idea" or "dominant Idea"; but he clearly means more than that—an Idea which not alone states a goal or ideal that includes, and so sustains, other ideas, but which helps meet the obstacles that block the way to achievement. I suggest that "load-lifting Idea" would be a better translation.)

He then reviews the current ideological cornerstones, sustaining-ideas, and indicates his grounds for looking beyond them:

"Can Capitalism compete with Communism? Are we, as enervated city-people, equal to the young *Slaventum?* Are our ranks strong enough, those ranks which in part make love-eyes to Socialism? Where is the Idea in the West which

can win this Auseinandersetzung for itself? Where is Christianity?

"Christianity remains forever young, and cannot be replaced by something better, because it is written in the human soul. But Ideas are always borne by human creatures, and perhaps these [Christian Idea-bearers, in their original vitality] no longer exist. . . ."

As for Democracy and Capitalism, "The ideas of Communism are certainly not better. But as much younger, they are far more dangerous, for they are borne by young populations striving upward. I am convinced that the United States, because of social injustice within the strata of its population, will in the future have to reach an understanding with the ideas of socialism. . . ."

These fragments from two letters may sufficiently indicate the reflective power with which this student was facing at once the domestic and the world situation of his country, the reach of his historical perspective of present issues, and the astringent integrity with which he assessed available prescriptions, both to criticize and to appreciate. In his diagnosis of his own need for a Load-lifting Idea, he was speaking, perhaps more than he knew, for the body of his fellow students. In his disposition to hold "in spite of everything" to an affirmative faith, I think he spoke for a dominant tendency among students at that time, though he recognized among his fellows a bent to nihilism; and the tough-mindedness associated with that type of mental and moral despair may have increased in Germany since 1948. If so, the Load-lifting Idea in their case would be not less a need, but more so.

Taking him, however, as typical of a very large segment of German youth, what, I ask, had we to offer him through our proposed revisions of the educational system? Since, as

an ex-Nazi soldier, he had come through Hitler's wars and Defeat with a belief "in spite of everything, in the triumph of Christianity," what re-education did he require? Would more "social science" or "geography" or "modern languages" fill the gap? Would further insistence upon "democracy" have met his problem, considering that his trouble with democracy was not with its theory, but with its yield of men competent to assume headship of a modern nation—and thus, perhaps, with its educational man-making insight? Had we any more nearly adequate Load-lifting Idea to offer his generation?

And then this question: In order to educate, must we not do at least as good thinking as that of the persons we aspire to teach?

In what follows I shall attempt to answer these questions. I shall deal first with what I consider the omitted elements of our instruction, philosophical and international. In order to give the reader a fresh as well as a just sense of the international issues, I shall make an audacious attempt to picture their growth, not through a sober historical account for which I have neither time nor competence, but through a series of vignettes turning on personal experiences in which alone the emotional life of history can be conserved.

I certainly do not hold it against our Occupation that it failed to supply Germany or the German student with a final philosophy of life, or with a Load-lifting Idea for the existing emergency in human affairs. It is, however, a weakness of our American educational outlook—a weakness from which Germany does not suffer—that we do not constantly and deeply recognize that philosophy is the primary need of all growing minds, and that *the issues between ourselves and the Nazis are in the first instance metaphysical issues.* For this reason I cannot apologize for taking, as our first

item of unfinished business, the metaphysical issue which my German student puts squarely to us. I call it the issue of patience, the metaphysical background of political patience. And I make it as easy as possible for the impatient reader to detour this discussion, by giving it the typographical aspect of a digression: a digression into the heart of the subject.

Part Four

THE METAPHYSICAL GROUND

XII

Political Patience via Cosmic Patience

The lack of a Load-lifting Idea noted by my student-friend carried no burden of criticism of the educational system of his experience, either in its later American-bent form or in its earlier all-German form. The need he felt could hardly be satisfied by any product of formal education, but only by some yield of the reflective labors of an entire civilization alive to its own deficiencies. His demand, if justified at all, might simply raise the question whether we in our efforts to redirect the German spirit were fully aware of our own mental need, as well as of the need of the German people.

We can hardly estimate the full meaning of those efforts without giving a moment's thought to that question. I propose therefore that we briefly consider this demand for a Load-lifting Idea on its own merits—warning the reader that if he has no taste for metaphysics he may omit this discussion, warning him also that it is not irrelevant to the political issues we still have to face.

The demand is, I think, a discerning demand. It looks beyond the confused churning of extant political promises and programs—for what party-name-and-program are not self-laudatory and self-confident in diagnosis and professed purpose?—toward an undiscovered idea matrix from which

a more honest problem-facing program could be born. I take it as an axiom that only a sternly self-critical outlook stands a chance of moving an ailing civilization out of its ruts. (And for myself, I refuse to subscribe to any party which does not include in its manifesto the announcement, We have erred! I am still looking for such a party.)

But the demand I speak of is also, for any educational enterprise, a disturbing demand. For any such looking-beyond implies that no teacher yet has what chiefly needs to be taught. Anyone proposing to cure by education—and this was our proposal, was it not?—must assume the healing truth to be in hand, in *his* hand. If that truth is yet to be found, how can we teach?

We might fairly plead that no such demand could apply to the work of a military occupation. As an enterprise conducted by a political entity, it can offer only such ideas as that entity—in this case we, the people of the United States—is (presumably) living by. To anyone who says, "Give us a new Idea, one with specific pertinence to present troubles, one with Lift in it," we as an occupying power must reply, "New Ideas would themselves have to be tried out before being politically recommended. Besides, new Ideas are not producible, or not yet producible, on demand. How they get born, no geneticist has yet revealed; and the modernest "depth psychology" boasts only cure-power, not beget-power. We cannot be blamed for not supplying what no man has or knows how to get. We have said to you, 'Be democratic.' You have been trying something supposed better, newer, abler, swifter to the goal; 'Be Nazistic.' You have found it a road to ruin. We say to you now 'Give the well-seasoned ideas another try; for surely some ideas are ageless, because forever valid.' "

For our actual enterprise in Germany, this plea has substantial force. Search for the undiscovered panacea, and

lament because no one has it, are not moods peculiar to the present moment. They are always pertinent while man's wisdom is incomplete, but to press them now may be a romantic mode of wishing away the hard conditions of peaceful living in the actual world. At the same time, this plea of ours amounts to a confession that the Load-lifting Idea is indeed lacking: if you want new ideas, it says in effect, look elsewhere! And it would be a difficult position to take, would it not, that *new ideas are not wanted?*

The claim that its proposals open new paths is precisely one of the lures to Germans and others of the bold and savage experiments to the eastward. Soviet thinking has from the beginning made a large noise of load-lifting while (as our student well knew) it merely shifted the burden and shackled the bearers. For thinking heads, its way has no attraction; but its vast and threatening presence in our world presents the strong admonition that there is much new thinking to be done, and that the eternally valid, itself, must develop new muscles to meet new strains. The demand for a Load-lifting Idea as a need of this present moment is legitimate.

It is addressed, certainly not to our Occupation in particular, but to "the Western lands" at large. It puts to us the question whether Western thought—in America, England, France, Germany or elsewhere—has in its *materia medica* only staple remedies for diseases in some ways new.

In my judgment, Western thought *has* something to say. It is certainly not insensitive to the spreading malaise of the human spirit; and there are signs of birth, birth pains, in the wide field of ideas. But what it has to say is not first of all political. For while political solutions are necessary, they are *never the first need* even of those who need them most.

Of this fact our student himself bears involuntary wit-

ness; he has projected into his own life-problem something of the whole philosophical craving of our time. He identifies his own unrest as a "Faustian impulse, eternally seeking," and, if eternally seeking, destined never to be fully satisfied. In this sense there is a Faust in all of us—a cosmic discontent at the base of our sense of life; and wherever this craving makes itself salient in consciousness, it mingles its impetus with whatever other unrest—personal, social, economic, political—may be there, reinforcing it. (Reading this in reverse, we may say that all social unrest is in part also a cosmic unrest.) In this respect our present era gives its supporting testimony to the *underlying pain involved in simply being human* which Buddha proclaimed in his Flame Sermon, "Life is a Burning,"—a thesis fit to inspire the Weltschmerz of a Schopenhauer, and through him to deepen the psychological bases of the Western world, and to confirm the moral foundations of a universal compassion.

Now this underlying pain of being human has become in a special sense the rediscovery of our own time. It is of a piece with the *Angst,* the dread, which Kierkegaard discerned at the heart of human experience—no simple pain-point but a thought-filled awareness of being in some sense lost. Man is physically lost, as a finite speck in a limitless universe; he is morally lost in an opposite sense, as an infinite being held in a finite frame—finite in knowledge and power, and condemned by his own freedom to risk action with endless consequences. This predicament, which Royce called "our finite situation," excites no dread in the animal: it is the glory and implacable destiny of man to act under a sense of peril—call it *Angst, Sorge, angoisse,* what you will. To announce the peril of the soul has been traditionally the province of religion; in our time this province has been taken over, with a new universality, by various psychologists, philosophers, poets, dramatists, hardly constituting a

group, partially independent of each other, submitting with much protest to a current name derived from Kierkegaard's concept of "*Existenz.*"[1] They are analysts of experience, but with a truer aim than that of current psychoanalysis because the underlying pain-and-dread which they have to declare is no bubbling-up of irrational impulse but a defensible response to our actual human involvement in the world we live in. They receive attention because their diagnosis of "our finite situation" is recognizable.

What peril or perils do they see?

Nothing remote, not the terrors of a distant Hell. Rather an opposite danger, namely, that what we see of the world may be the ultimate fact! How, they ask in effect, can the soul of man aspiring and infinite be other than lost in a world silent, alien, not wholly but many-wise irrational, absurd, repulsive, horror-filled? If there is a right way to live (as religion maintains), there is always the peril of losing it through our ignorance. But may there not be a greater peril—that there is *no right way?*—the peril of meaninglessness? What we are certain of is the moment-to-moment boundary of our being, the nothingness which completes itself in Death.

I was once lost in the Alps, trying to follow a trail I thought I knew between Grindelwald and the Frutigen Valley, overtaken by night and a driving rain that blackened the night. I could keep the trail until—for a stretch I had forgotten—it splayed out over an upland moor, without marks. Once on the moor, I knew only that on the invisible yon side was a forest which somewhere held the continued

1. Kierkegaard stamped on the ordinary term *existence* a special meaning. Only that truly exists which feels and suffers. A man fights a storm: the storm has factual existence; but the creature fighting it, passion-filled, in a tangle of fear and hope, desperate with fatigue—he has *Existenz.*

trail. Close around, there was nothing but rain and darkness, slippery ground underfoot, and far below, a ragged roar from some torrent making its angry way around a mountain edge. Across that interval there was no "right way," and "trial-and-error" made no sense because the night neither kept nor allowed any record of starting point or direction. When action thus loses meaning, lostness reaches a new degree—symbol of the dismay bordering on despair which (as Existentialist thinkers generally assert) must be found in oneself—not as a passing mood but as a ground-tone of our more deeply vital attitude toward the world we are in—if one is to win a valid self-command. And also, if one is to do any thinking commensurate with the exigency and tragedy of human experience in this present age.

The power of Descartes' thought, in his day, was that he followed doubt—the despair of the mind—to its end before he discovered his affirmation. The power of the thought of Kierkegaard and of Nietzsche and of the Existentialists who follow them was and is that they follow despair—the doubt of the heart—to its end before they affirm a discovered Way. In this respect, Existentialism is *the Cartesianism of passion.* It is a dispersed and as yet unfinished Cartesianism, debouching in no irresistible Affirmative snatched from the very core of Negation. In its positive counsel its representatives show little agreement—for one a Way of faith and grace, for some a Promethean will to power, for some a radical self-making freedom taking lawlessness as its province. Its unity lies in its negative path, its exposure of the anxious nerve of lostness of modern man, at the height of his scientific and technical achievement. For this resolute exposure it is widely sought by those who have become aware of their own lostness. It is eagerly read in Germany, as elsewhere: it is taken as an authentic voice of our elemental alienation from the factual world, in which—what-

ever the Sphinx riddle of its character—we are nevertheless bound to engage and to act.

And since this picture of the world is drawn not more by physical Nature, the sphere of our proud half-mastery, than by our political-historical environment—equally inescapable, enveloping, inexorable, making the sharpest contribution to human misery—we shall achieve no political solutions if we ignore these metaphysical issues. (Does anyone still delude himself that he can say "democracy" and avoid metaphysics?) The disorder of the human world is at its root a metaphysical disorder.

In particular, resort to violence on a mass scale, whatever its pretext—economic, social, political—is at the same time a *metaphysical impatience.* It implies a repudiated faith in justice—not in human justice alone but in a justice of cosmic law, working in the pores of history and beyond—a Karma-justice or a dialectic-justice by dint of which *Weltgeschichte ist Weltgericht.* And if faith in a justice-nisus is rejected, seekers of justice-for-themselves will attempt to fill the empty places with human deed, God being for all practical purposes dead.

In its picture of man-in-the-world, passion-filled and dread-filled, Existentialism reaffirms, wholly without antecedent religious commitment, a certain religious pessimism regarding "this world,"—"in this world we have no abiding city"—the religious tradition pointing confidently to "another world" as the locus of hope and "salvation." Existentialism restates this pessimism in psychologically universalized language; and as for the traditional religious hope, some Existentialists would recover its equivalent by way of a transcendental amendment of the merely-factual world-picture. That picture, they say, cannot be complete, cannot be the most real of realities! They would incline to agree that (traditional) religion is the opiate of the masses. They

might at the same time agree—though here I venture beyond any assertion of theirs—that the Marxian observation needs, and is capable of, a radical, less invidious, restatement: namely, that religion is *the justification for mass-patience.* We are talking of honest religion, not humbug religion. Opiates we cannot endure; but without a justified patience-for-justice, history becomes a chaos of wills-to-justice-for-ourselves. *Nazism is just that.*

It would be in order, therefore, to enquire whether and how this dark world-picture can sustain any patience for justice, whether it is to be supplemented, perhaps, as Gabriel Marcel believes, in an order of *mystery* lying nearer reality than the order of fact with which science and technique are occupied. Such an enquiry is necessary. But for our present purposes let us pursue the enquiry into human passions a stage further, asking whether in the heart of world-despair itself there may not be—as in the intuition of Descartes—a glint of Load-lifting Affirmation.

Note that metaphysical impatience begins everywhere as an impatience with pain: "I suffer, therefore the world is unjust." If this pain is not accidental, but inherent in the human condition, the world is thereby condemned—and with it, its Maker, if there is a Maker. So Schopenhauer argued, and his cure was simple—reverse the will to live, and thereby un-create the world! Existentialism rejects the cure by un-creation. It rejects as well any cure by escape, by world-flight. And if it refuses, as Sartre does, a revision of the world-picture in the sense of theism, it calls for a resolute satisfaction in self-building freedom, overcoming the palsy of a cause-and-effect-naturalism whereby man must see himself as a product of nature or of society: man makes himself and (responsibly) chooses his own values. This rejection of science-of-man passivity is glorious, timely,

and nearly valid. But a perpetual strain-of-effort to maintain Titanic autonomy in the midst of an all-claiming world can be no universal prescription: the clue has been missed. It lies much nearer at hand: in a better understanding of the nature of pain.

Go back to the point where the "Faustian impulse" of my student friend and the *Angst* of Kierkegaard merge in the existential undercurrent of pain. Human seeking and striving are eternal, not alone (as is often said) because the goal recedes as we move toward it, nor because (as Schopenhauer said) every satisfaction begets a new thirst, but also because by a deep-going paradox the *pain of this striving is an inseparable part of the joy of living.* It is the pain of the artist, the pain of all creative workers—the pain of being distant from, and forever falling short of, what one wills to achieve. This pain exists solely because of the perfection one contemplates: it can be abolished at once by simply rejecting the vision and ceasing to strive. Then why not get rid of it? Because to accept this relief would be to cancel what life has now come to mean. The vision, which has no biological necessity, a gift of the gods which need not have come our way, has this pain as its price. And we, as more-than-biological beings, *prefer to pay it.* More than this, we recognize as an element of the distinctively human type of nobility the perversity, if it is such, with which mankind clings to its most pain-costly visions. Maurice Herzog persists in climbing Annapurna. Or, as Gerald Heard tells me, a master workman in eighteenth-century England was commonly referred to as a "very painful man." [2]

This pain-absorbing, pain-requiring aspect of human experience has been well described by the Finnish scholar Yrjö Hirn, in his chapter on the "enjoyment of pain" in *Origins*

2. Cf. my essay "Binding Ingredients of Civilization" in *Goethe and the Modern Age,* edited by A. Bergstraesser (Regnery, 1950), p. 282.

of Art. But we need not look for our principle amongst exceptional passages of human adventure, or endurance, or prowess: indeed, if we were obliged to look there, the principle would be of little use. It must belong and does belong to the day-by-day experiences of mankind. Every wakening of the mind to love, every opening of the eyes to beauty, carries its mystery. For these gifts, which no one can seek (for he cannot know their quality in advance) and cannot own (for they do not admit possession) and yet which none is so poor as to be without, issue a command over the receiver; they call for the pain of service. The artist serves by trying to capture the essence of what he has discovered; he must, in Marcel's phrase, bear witness! The lover desires to show his love in pain-requiring service: "What may I do for you?"

And this type of experience indicates another mystery in world structure—that the best world could never be the "best" as a pure inventory of "good" things; unless a provision for pain were built into it, it could not be borne. Purely for the love of love, we could never endure a world which allowed no occasion for suffering.

Everyone who willingly serves—and all forms of service begin with freely-offered aid of family, friend, and neighbor —knows the adoption of pain. Those who create, who are also lovers, living with the idea of what they care to produce, know it even more deeply. The Biblical curses on Adam and Eve, expelled from the Garden, are integral parts of the blessedness of human travail in its creative aspects. Life, which would fall beneath the human level without that will to know good and evil, making ourselves equal with God, which by the legend marked the original defection of mankind from innocence, would also lose its glint of magnificence if the anguish of creative work were absent. Nietzsche saw this truth: "The will of all great love is the

beloved to create; and all creators are hard. Thus spake Zarathustra." All the curses of Genesis are necessary ingredients of significant living.

But more than this, the perceptions of love and of beauty, pain-demanding, are at the same time perceptions of the nature of reality. They crack open a corner of the "ontological mystery." For whatever our factual world-picture, the world in which we are entangled is one in which loving and being loved are possible; and in which the object of love—never to be owned, a not-myself inhering in a not-myself—has a *revealing* function: here the nature of the vast and silent "It" discloses itself as a "Thou": the dissembling death mask is momentarily torn aside. And what is momentarily revealed, stays revealed.

To perceive this, as metaphysical foundation-fact, as completer account of our human being-in-the-world, is to rediscover the scope of our own will: it becomes seen as a *will to create through suffering*. Here is the breeding place of a cosmic patience which in turn can beget political patience.

And this perception—as here I can merely suggest—is contained in the experience of despair. One could not despair if he did not at the same time hope (*désespoir* contains *espoir*—the subjective affirmation). And one could not hope if he did not love—the escape from Cartesian subjectivity. I despair, therefore I love. With this insight, the Existential probing of our passional being may complete its Cartesian journey in an irresistible Affirmation.

And for those who have destroyed cities to rebuild, this principle of the will *to create through suffering* may come as an available Load-lifting Idea—first in the realm of metaphysics; and then in the realm of politics to which field we now return.

Part Five

UNFINISHED BUSINESS: THE INTERNATIONAL OUTLOOK

XIII

Historical Problem-Setting

It may now be clear that we cannot fairly accuse "the Western nations" of being wholly unresponsive to the need of a deeply disordered world for fresh philosophical grappling with the formidable realities of our human lot. The eternal truths, not less eternal today than yesterday, are being rethought: slippery and inadequate alignments of ideas are yielding to grittier conceptions; metaphysic becomes the most actual of sciences. The very notion of a "Load-lifting Idea" rejects abstraction: the Load-lifting Idea we have now outlined is the reverse of abstract—addressed to man not merely as engaged in, but as in struggle with, his world—wrestling, if you will, till daybreak for a glint of purpose and meaning within his factual destiny. It is not even impertinent to the lot of nations, also in struggle with their world. They, too, can live only as they love and create; they, too, can create only through suffering.

But the metaphysical idea cannot of itself carry the German load, nor any nation's load. An idea is not an ideology —an assemblage of directions for a passage of history toward a city which our hands can even now begin to build. Communism as the common enemy had the advantage of being an ideology, almost a blueprint of a social goal worked out, embellished, not without moral glitter and war-cry! All the German parties other than communist aspired to present

opposing ideologies with complete social programs. We offered ideas, not an ideology: "Democracy" was indeed more than an idea—as worked out in our societies it was an incipient ideology. But as we brought it forward, it was not seated in the specific German impasse; nor was it addressed to the international area, which held the most living and emotion-laden issues of the German people. It was, to this extent, unhistorical.

Nor can we now see clearly what was needed, what "the German problem" actually was, until we have descended with them into their historical waters, and have felt the tug of the current bearing Germany onward, and for which Nazism was proposing a chart.

And until we could realize what the German problem was through seeing how it grew, we could have only abstract notions of what needed to be taught. It was wholly inadequate to light by inspection on a few obvious devils—nazism, militarism, nationalism—and try driving them out, by inserting democracy as a "diametric opposite." We always run the serious risk of wrongly identifying the devil, unless we see how he gains his place in history. I am prepared to submit the thesis that none of these figures is pure devil; for no evil in this world can attain the monstrous proportions achieved by Nazism in Germany without the allurement of substantial value. If the old Latin saying is valid, *optima corrupta pessima,*—the best things when corrupted become the worst,—then some few of the worst things may be corruptions of the best—the hypothesis deserves a glance. As for nationalism—there is indeed something under that name that needs to be destroyed, and which some of our keenest minds regard as the primary obstacle to world order; but the devil in question cannot be identified with the nation as entity, nor with the citizen's care for the nation, which can and should override care for his own life. As a love for what

is more than self, a faith in the historic mission of one's people, a pride in her world place, nationalism stands high and will continue to stand high among the incentives to human greatness.[1]

It was not German nationalism we had to destroy, even when, as in the between wars period, there entered into it a pathological element. This element had its origin in a touch of solicitude such as is called out in lovers who conceive their beloved as unjustly suffering, neglected, scorned: it became a passionately protective national-feeling, in which the memory of wrongs done by Germany mingled painfully with the sense of present wrongs received. This solicitude could be interpreted by an indifferent outsider as an unsportsmanlike reluctance to accept the consequences of a deserved defeat: [2] with deepening frustration it could take on attributes morbid and fanatical, at last barbaric and insane; behind this repulsive front it could be difficult to conceive that there had lain an original tenderness and knightly care. Yet so it was. And we shall miss what was essential to our mission, an understanding of the nature of the German problem, if we simply decry nationalism, or see in the Nazi upsurge pure aberration under the drive of a conscienceless will to power.

It is for this reason that it becomes necessary for us to sample moments of history in which its emotional meanings were being born. It is neither possible nor necessary for us

1. *Spirit of World Politics*, pp. 184–95.

2. Commenting on the German attitude toward the Versailles Treaty, W. L. Shirer (in *Midcentury Journey*, 1952) remarks, "The Germans, of course, did not like it. No people likes to lose a war . . ." (p. 117). This casual dismissal of the question of the character of the Versailles settlement as a clue to the justice or injustice of German attitudes illustrates the necessity of entering the spirit of history by way of a personal encounter with pertinent facts if we are to avoid radical psychological misrepresentations. And the psychology of history is of its essence.

to write the history of twentieth-century Europe: indeed no one can write it, in its infinite four-dimensional continuum of events; and what is essential to the judgment of Germany, and of our work there, will require long years of the best human thinking to elicit. But it is even now possible to identify crucial turns of historic decision, and to catch their spirit, as one can only catch it by living through them.

What I can here offer must therefore be personal, and to an extent accidental, a limitation which I trust the reader will forgive, as inseparable from every immediate report. Without the particular, and its burden of feeling, no historic truth.

As the chances of life had it, I was caught in various turns of recent history: I was "there"—with a peripheral or off-center participation which, for historical perspective, may often be better than being in the focus of the tornado [3]—during passes of national decision, in the States, in Europe, in Asia, when the scales of destiny seemed to be slowly shifting, upward or downward. Brief notes of a few such moments, vignettes of history, may at least indicate to the reader the inner quality of certain simple events which became world crises, and shaped the German problem of 1937–39 where the hinge of our judgment has to stand.

3. On this point, a remark of Gabriel Marcel is pertinent: ". . . in politics, perhaps we can only see clearly at a distance. Proximity blurs everything, . . ." And not merely because of "that fear and greed which are at the bottom, after all, of all our errors of political judgment . . ." but also because the meaning of any historical event is larger than its focal passions. *Man Against Mass Society* (Chicago: Regnery, 1953), p. 180.

America Turns to War

The United States begins to see Europe's problem as a world-problem, hence as its own problem; at first with a clear partisanship, which, however, refuses to remain localized.

The first scene is Plattsburg, New York, June, 1916: the Military Training Camp of the Regular Army.

With the lengthening of the war in Europe, the word "preparedness" began to be heard throughout the land, and to assume tangible shape. Our War Department became concerned "to qualify educated men to fill the great deficiency in commissioned officers that would immediately arise in case of national emergency." In June of 1916, the Training Camp at Plattsburg "for business and professional men" began its second summer of sessions; and, as the *Camp News* boasted, "By the time taps is blown, October 5, close to 20,000 . . . will have been 'put through the mill.' " Many citizens had reached the belief that both the facts and the principles of the war in Europe had begun to concern this nation, and that we could not long remain "too proud to fight."

I found myself in Company A, in a squad with a young fellow who had graduated from Grinnell College in 1910, and had already had nearly two years of service as a machine-gunner on the Flanders front. He was there not so much to learn the job of a soldier as to see at first hand what our country was doing to meet the situation he saw must come. His name was Norman Hall. We had much to

talk about. We were buddies for a brief time, when a sorting for height put us into different though neighboring squads; but we still found plenty of chance to swap ideas. Each of us became corporal of his squad with the proud minimal chevron on our khaki shirt-sleeves: Hall went on to the grade of sergeant. By the time camp was over and his story became known, he was offered a commission as major, if he would stay and help in the work of reserve-officer training. But Hall already had other ideas, and (though he had promised his parents not to enlist again—in the British forces) felt he was keeping his promise in joining the Lafayette Flying Squadron assembling itself in this country for service in France.

The second scene is the streets of Paris during the late summer of 1917.

Within the year, the United States was at war with Germany. The Lusitania *had been sunk. Royce had made his great and impassioned address in Tremont Temple declaring that Germany had now assumed the rôle of "the enemy of mankind." Muensterberg, who had been living under a growing strain as a German citizen in a community increasingly hostile in feeling to his country, whose correspondence with von Bethmann-Hollweg in the German interest had become known, and who had been accused—unjustly, since we were not then at war—of being a German spy, had slumped dead at the opening of a class in Radcliffe. Two weeks earlier he had explained to me, "You New Englanders are too prone to take the war as a moral issue. It is not a moral issue. The Slavonic peoples are growing and expanding westward; the Germanic peoples are growing even faster and expanding eastward. A clash was bound to come. These growths and pressures are not a moral issue." To this country, the issue of war and war methods remained*

moral as well as political. President Wilson, having used his best effort for neutrality, could now with good conscience lead the nation into its first great war enterprise on European soil.

Before our entry into the war, I had undertaken to go to the British and French fronts, during the summer of 1917, as an observer under the British Department of Information. During the late spring, Norman Hall had been reported shot down over enemy lines and presumably killed. In early July, I took passage on the *Baltic,* together with the first corps of American Military Engineers bound for the French Front. The French lines at Verdun had come dangerously near collapse—there had even been (unreported) mutiny there: Lloyd George later referred to that spring as "the darkest moment of the war." During this period, though of course unknown at that time to the general public, the Balfour Declaration was being negotiated in the hope that Jewish wealth and influence, in Germany as well as elsewhere in Europe, would be lured to the Allied cause, with perhaps some premonition (suggested in its last clause) that this act and its influence might profoundly affect the status of Jews in German national feeling.

In late summer I found myself on the streets of Paris; Friday, August 24, called at a bank and on the visitors' register spied the name of Norman Hall, no address. The only hope of finding him was to leave my own; that very afternoon I found the following note at my hotel:

Oh what a pity! I've just missed you and only by a couple of minutes! Found your card this afternoon at the Equitable Trust and rushed right over to your hotel. Unfortunately I have a dinner engagement for this evening, but perhaps you have too. Can't we have luncheon together tomorrow? At any rate, I'll call around

here at about eleven-thirty. . . . I am leaving Sunday morning for my depot, on my way to the front. Norman Hall

Hall arrived early. We had Saturday together. He had left America in July, the month after Plattsburg. He had been shot down after three weeks of service. He had had one earlier scrimmage, just an exchange of shots, in which the Boche machine disappeared. This time the Boche was right under him as he came through a cloud and got him first, the shot passing upward just missing both heart and lung . . . lost control for a while . . . shot down two miles . . . doesn't know why the wings didn't crumple up under the strain . . . made an effort for the levers and got the machine around 500 feet from the ground, then "went clear off" and doesn't know how he landed . . . fell inside French lines. It was long after he was picked up before he could get his breath freely. He was taken to an overcrowded French base hospital where, during nearly a fortnight, his wound was dressed twice, then transferred to the American hospital at Neuilly where it was dressed every day. But one thing he missed at the American hospital which he had in the French —*time to think*. At Neuilly, people came around and talked to him out of the goodness of their hearts, when he would rather have been thinking: no time to think while in camp. *"That is what we need—time to think!"*

What did he want time to think about? It would hardly be on the surface of the jottings of that day. Didn't we believe it necessary to have a military decision, not a political patch-up? . . . How are we going to get it? Through the new arm of war—the war in the air? Hardly: it takes a long time to train an aviator . . . then aviators wear out early . . . instructors are often from among men who no longer have the nerve to fly . . . one of ours frequently goes out but always comes back in fifteen or twenty minutes . . .

something is wrong with his engine, or what not, "but the boys all know what the matter is" . . . the Archies are a great trial, the German gunnery is very good . . . only a few really thrive at it . . . personally likes diving, thinks it is "worth it all" . . . going down through different strata the plane will often bob up and down like a skiff in the wake of a steamer. . . .

We were interrupted. Hall was walking across town with me on my way to some necessary passport formalities, when we met a comrade of his from the Squadron:

"Say, but I'm damned glad to see you. . . . Say, congratulate me; I'm going to be married. Been engaged just two days. . . . American girl . . . met her at the hospital . . . nearly lost my arm . . . no good for quite a while yet . . . got leave to go home to get married. . . . Say, too bad about Sedgwick . . . (Hall tells me later he has been feeling very down because of the death of Sedgwick 'his very best friend') . . . C'est la guerre." . . . He was off.

You have to get used to death. Many of the boys come to think of their own death as a matter of Providence, or fate, "If I'm to get through, I will." Not much religion about it. It is hard to avoid looking on death as an affair of nature, the end of the man. "So many horrible things happen, they have to be cleared away while the work goes on." A little later, "I don't know whether the war has done me any good." . . . Many other things . . .

Time to think! The war with its glory and degradation (inescapable) was around our ears; but this war—it is something more than an outbreak of German arrogance—an earthquake tremor shaking Western civilization through and through, revealing cracks old and new in its handsome crust: the perversity was *not all in one spot*. The immediate task in hand was clear: France must be saved, Germany must be defeated; but other issues crowded the picture—our entire

civilization was out of joint—one must get away from it to see it steadily and see it whole.

Hall at that moment was not allowing himself nearly as much "time to think" as he could have had. His medical instructions appointed him another three weeks of convalescent leave; he had had only one week, and he was still so wobbly on his legs that, in our walk to the Cité he had to sit down several times to rest. Yet he was going next day to Lyons, to get again into shape for the flying at Verdun. I tried to win him over to further rest, but his decision was made. The need for time to think that had been born in him required greater room; greater room, too, than the frist of the imprisonment within German lines which then lay hidden in his future. It took the form, after the war was over, of putting distance between himself and the whole hurrying clamor of the civilization he had begun to regard with questioning—going to the South Seas, to Iceland, to Tahiti again. The rest is literary history.

Hall had experienced the first phase of that revulsion from the self-complacency of a nineteenth-century science-based civilization which was to be immeasurably deepened by the catastrophe of the Second World War. And then as now, we have to say that world-flight is not the answer. But the principle of alternation [4] (to which Arnold Toynbee has given historic body in his chapters on Withdrawal and Return) contains part of the answer: withdrawal becomes a necessity of human poise and moral freedom, as a preparation for resuming an historic task. It shows (what Existentialism asserts) that the subjective factor, fortified by absence—as in Zarathustra's communion with the sun—may hold the deciding voice in the question whether world-evil

4. *Meaning of God,* chap. 28.

can be met with an affirmative faith, which is the same as the question whether in a world like ours, the human individual can remain morally free.

Germany Enters the League

The time is September, 1926. The scene is not Geneva, nor Germany; though the solemnity took place in Geneva, and the conflicting emotions of the event were perhaps most deeply felt on German soil, as the Weimar Republic identified German fortunes with those of the world organization. The scene is in Cambridge, Massachusetts, in the midst of an academic gathering, a session of the Sixth International Congress of Philosophy, the first such Congress since the war where German members had been invited and had taken part. Here the meaning of this occasion was felt and shown in a simplified and emphatic form—typical, I think, of its historic sense.

Science is presumably one of the most natural "binding ingredients of civilization." Its findings are normally the property of all mankind; and its workers normally share their efforts and these findings without any impediment from national boundaries. International meetings of scholars commonly exhibit in their membership the universal character of the phase of truth which occupies them. Philosophy, concerned with primary generalities—that is to say, with the commonest of common ideas—has a peculiar responsibility in this respect.

After 1918, there was an understandable hesitation about bringing German scholars again into scientific gatherings. Plans for the Fifth International Congress had been aban-

doned because of the war. But in this Sixth Congress, meeting in America, at Harvard, we threw the doors open: twelve German philosophers joined the Congress. In September, 1924, Germany had announced her application for membership in the League of Nations: the two years' interval was drawing to a close, and hopes were strong that a new era of German co-operation was about to begin.

At one of the general sessions of the Congress, a German colleague (I believe it was Professor Hans Driesch of Leipzig) was speaking on "Emergent Evolution." A French colleague was on the platform, together with the chairman for the day. While the reading of the paper was going forward, a member of the organizing committee entered the platform and spoke to the chairman, who at once stood and interrupted the speaker. He said that a message had arrived which would be of the highest interest and moment to every member of the Congress; he would ask the indulgence of Professor Driesch while he read it.

It was a simple report to the effect that Germany had been admitted to the League of Nations, and that the German delegate had taken his seat.

The French colleague at once rose to his feet, stepped toward the German speaker and extended his hand, which was warmly grasped.

The feeling of the moment was unanimous, too deep for noise, electric; as if a broken world had been welded together, or rather, as if a severed limb had rejoined its body and the undivided life-currents had begun moving through the whole. It was as if we, in a remote region of the world, were also instantly aware of the new pulse-beat, and as though the deed of the French delegate, so memorably the right deed, were the assurance that an intolerable separation had ceased to exist—forever.

Germany in the League: Briand Destroys What He Has Built

The time is September, 1928. The place is the meeting hall of the Assembly of the League, in Geneva.

The League was not quite ten years old; it was taking the measure of its great task. "Give us another ten years," said Sir Arthur Salter to me, "and we shall tackle some of the thornier problems; like your Supreme Court, we have first to build our prestige." One of the thorny problems was that of the mandates: were the mandatory powers putting first the welfare of the mandated peoples, or their own? I had undertaken a journey to the Near East to satisfy my mind on that point, planning to end my journey at Geneva and see the League in action. The Assembly was to meet in early September, and Germany was to present a statement to which Briand, a day or two later, was to make reply.

There were many young Germans in Geneva, eager to see how Germany was doing and faring in the new world organization. I sought them out. I had come through Austria, and had seen Austrian young folk making for week-end mountain-climbing excursions. This seemed to me a vast improvement over the military tramp-tramp of earlier days. I congratulated them, and these young Germans, on being free from the load of military service. To my surprise these boys showed no pleasure in the idea. Some said, "We want an army." "Why?" said I. "Because, until Germany has an army, its words will not be listened to and its needs will not be respected." I didn't believe it. I had been talking with Madariaga: disarmament was impeded, but was on the way.

On one of the earliest days of the session of the Assembly, Stresemann was to speak. Stresemann embodied in my mind the forward-looking idea and the good faith of the new Germany, the Weimar Republic. Weimar was under no illusion that the terms of the Versailles Treaty were possible for Germany; but it adopted "the policy of fulfillment" in the belief that the victors—once Germany gave evidence of good faith—would themselves see the excess of its terms and modify them. Stresemann's confidence in the League-idea, his capacity to present Germany's case, his patience, his skill in allaying distrust and keeping before all minds the achievable future, made him more than any other one man, at that moment, the hope of Europe's progress toward sanity, with perhaps one exception—Briand, architect of Locarno.

Stresemann was to have made the opening speech. He was ill. Chancellor Hermann Mueller spoke in his place September 7. He spoke well. His theme was the desire of Germany to co-operate as a partner in the building of Europe, the pleasure which Germany took in her membership in the League, her firm purpose to work with the League. He had a plea to present in the interest of sustaining this favorable morale. Germany was disarmed. By the terms of the Treaty, the Allied Powers were committed to carry out a measure of disarmament, as this became prudent. He realized the considerations which must make the process a slow one, but raised the question whether the time was not now ripe for a token step in this direction. There was a Disarmament Conference; but it seemed stalled. Some of the neighbors of Germany were even being financed for increased armament (referring to Czechoslovakia and Poland, then being developed by France as military powers). Would not the Great Powers think favorably of a limited but actual step, as a gesture toward Germany?

Mueller's plea was made without rancor and was placed on the ground of the common good of Europe. There was a measure of applause, not strong but sufficiently cordial: I thought a good impression had been made. I felt confident that Briand, when the time came, would meet Germany halfway, or at least recognize the sense of the German position.

But what did I hear? Briand launching into a denunciation of Germany and the German spokesman. "Germany disarmed?" he cried, *"Germany is not disarmed!"* Was she not increasing her industry? Were not her factories new-built, and by the aid of "foreign capital" (largely American) furnished with the newest machines? And was not every such plant convertible into a munitions plant? Were there not already plans for such transformations? In these ways, Germany, ostensibly demilitarized, was secretly treasonable to her agreements. She need expect no step toward disarmament, so far as France was concerned!

No rebuff could have been more absolute. What would the Assembly think? Surely, I thought, the Assembly would be shocked at the altered Briand, publicly breaking down the spirit of European unity he had done so much to build up! No. The Assembly greeted Briand's speech, as it was accustomed to greet Briand speeches, with warm applause; and as he stepped down from the platform, hands were reached to him in congratulation. The German delegation sat silent.

I then understood that the German students who told me that Germany was not being listened to, had told the truth.

But was Briand right: What were the facts in 1928? Was Germany rearming in secret, and was the Weimar government playing false? I made an effort to learn these facts. German industry was indeed being rebuilt, and by extensive foreign loans, as it had to be if Germany were to be anything but an economic invalid in mid-Europe. The recovery

in industrial output had been rapid.[5] These industries were no more and no less "convertible" than is any heavy industry; there were no special plans for turning them into munition-making. They were doing their part toward making feasible the herculean task of "fulfillment" of Allied claims to which Stresemann, seconded by Dr. Rathenau, was sincerely committed, and from which France, with other German creditors, was profiting.

Poincaré was radically disturbed by these signs of German industrial ability; still more by what his imagination, plus his secret service, could see by way of ominous possibilities. Episodes trivial in appearance took on serious portent: the building of commercial airplanes in Germany; efforts not wholly unsuccessful on the part of the shattered Reichswehr to recover function and prestige in a society having no ostensible use for an army; petty military and industrial trading with Soviet Russia. But why with Soviet Russia? Ask keen and unreconciled heads like General Hans von Seeckt, who might be counted on to get together with top men of reviving industry, Hugo Stinnes and others, to find Soviet interests with which something of three-cornered advantage might be worked out, very *sub rosa.* It is true that von Seeckt had resigned in 1926; but even if he had not resigned, whatever plotting of this kind went forward—and there was some, known or unknown to Stresemann—could take no step from idea to actuality without becoming painfully visible. How much, then, should these expectable signs of disaffection from Weimar weigh?

Poincaré, on second thought, might have been reassured by the consideration that German budgets were by law published, were controlled by the Reichstag and by international inspection under the Dawes plan (1924), and could in no

5. "By 1926 her industrial output was only 5 per cent below that of prewar years." Kenneth Ingram, *Years of Crisis,* p. 103.

conceivable way avoid betraying any considerable secret rearmament.[6] But Poincaré could not bring himself to be reassured; Briand had to act with Poincaré; and Great Britain, while favoring the course of German recovery as a promise of soundness in Europe, could not steadily oppose the policy of a France ridden with suspicion and seeking with unquenchable appetite a pathological security based not on its own and allied strength but on an artificial German impotence.

In 1928 the point had been reached, as it is reached after every war, when the ex-enemy had either to be trusted or else maimed. If normal recovery of Germany were to be so politically intolerable to its neighbors that footbinding must be a continued resort, one could predict a psychology of frustration in Germany likely to grope for relief through abnormal channels. Germany could not be destroyed. The only other courses were to trust her, taking whatever risk there might be in treating her as a genuine partner, or to continue a policy of constriction, half-trust, half-fear, taking the opposite risk of breeding the seeds of revolt in a people inherently strong.

The latter course was taken, and European history began the bend toward the fall of Weimar, toward Hitler, toward war. Briand's speech was a mere symptom, eloquent of the whole European quandary. Its temper, startling and dismay-

6. Cf. G. Stolper, *German Realities,* p. 156. The role of the Reichswehr during these years is now fairly traceable thanks to the detailed and careful work of John Wheeler-Bennett, "The Nemesis of Power: the German Army in Politics, 1918-1945." There are papers of Stresemann still unpublished from which further light may be expected as to the degree of awareness of von Seeckt's ambitious and recalcitrant policies on the part of the Weimar Government. Interpretations of this period by Sir Lewis (formerly Louis) Namier, who in 1917 was cooperating with Arnold Toynbee and others at the D. of I. printed-information center, 88 Victoria Street, are in my judgment vitiated, despite his great gifts as historian, by a marked anti-German bias.

ing as it was to the German delegation, was itself in part a consequence of one of those infinitesimal accidents which often seem to deflect the course of history. In referring to the policies of France, Mueller had used the word *zweideutig,* "ambiguous"—accurately describing just that half-for and half-against disarmament of which we have spoken. Briand, who knew no German, was dependent on the translation; and the translator rendered ambiguity as *duplicité*—O, fateful advance into moral criticism! Briand was stung, enraged, a mood nursed by his thorough personal dislike of social-democrat Mueller; and it was this wrath, as well as Poincaré's fear, that spoke in every turn of his passion-filled denunciation. No one can tell how deeply this intemperance and injustice, sinking into the souls of the German delegation, and conveyed by them into Germany, may have emboldened the spirits of that group of parties—of which Hitler's Nazis were a still negligible fraction—ready to denounce the Versailles Treaty and all its works, including the League. Two years later, in the September elections of 1930, the Nazis sent 107 members to the Reichstag.

Briand, I am told, shortly realized what he had done, and bitterly regretted what he could no longer recall.

Japan Defies the League and the United States

The time is May, 1932. The place is Tokyo, a lunch-room in the Japan-America Club.

I had been in Asia since the preceding October, hearing in various places indications that World War I had created there the belief that "The West," being divided against itself, was no longer to be regarded with awe as omnipotent and irresistible. In India, Pundit Das Gupta, head of the

Sanskrit College of Calcutta, had greeted the opening of a new Buddhist temple at Sarnath, November 11, with an address in which he declared that Christianity had failed in Europe, failing to keep the peace among Christian nations; and greeting the arrival of the new "Hindu-Buddhist civilization of Asia" which alone was able to secure peace and good will among men.

In Shanghai, where the Chapei Quarter, recently destroyed by Japanese bombardment, was still smoking, we realized that the Japanese adventure on the Continent was not to be confined to Manchuria. Here we were, for a time, in the same hotel with the Lytton Commission, seeking the truth which Japan was making every effort to conceal about the Japanese coup in Manchuria.

In Japan, we found that the Japanese public itself, because of a rigid control of the press, hardly knew the exact nature of the events either about Shanghai or in Manchuria; but it realized quite fully that the Stimson note in some way expressed disapproval of the Japanese national effort, so that United States stock, when we reached Tokyo, was at an all-time low.

My friend and former colleague at Harvard, Maseharu Anesaki, librarian of the Imperial Library at Tokyo, had arranged a luncheon party for a few members of our Commission. He had arranged for two or three after-lunch talks to the American visitors by Japanese speakers; and wishing the occasion to be pleasant, in spite of the lowery atmosphere, had admonished these speakers to avoid contentious topics.

The first speech was by Viscount Ishii, elder statesman, who had been active in the peace negotiations between Japan and Russia under the aegis of Theodore Roosevelt. The second was by M. Zumoto, editor of a Buddhist weekly

review of events and opinions. Of Viscount Ishii's address I remember nothing but the first four sentences; but these I remember word for word. They were as follows:

"War between Japan and the United States is unthinkable. There are only two conceivable situations under which friction might arise. One, if Japan were to intrude upon territory covered by the American Monroe Doctrine. The other, if the United States were to intrude upon territory covered by the Japanese Monroe Doctrine."

At this point our thoughts necessarily plunged inward, deserting the speaker's further words to gain bearings in regard to this first intimation that there was, or was to be, a Japanese Monroe Doctrine! How far does the parallel extend? Is there any legitimate parallel? Is the speaker attempting to deck out a stroke of Japanese conquest in the mild garb of the hands-off message of Monroe to potential European exploiters in the Americas? Is Japan saying to us, "There is a sphere in Asia in which you may trade, but neither own nor dominate; and Japan proposes to hold this sphere in trust under the slogan, 'Asia for the Asiatics'?" Is this anything more than a disguise for a new-built Japanese Empire, done in the 18th century manner, and without regard for 20th century obligations accepted?

The Buddhist Zumoto's speech was even more explicit. He hoped that the visitors would enjoy their stay in Japan; he knew that they would carry back to their country certain impressions. Among them, "They might as well understand now, as later, that Japan has no intention of resigning, at the insistence of Western powers, advantages which she has gained on the Asiatic mainland." (Buddhism in Japan is not necessarily of the type Das Gupta was welcoming in Sarnath as, with Hinduism, the effective religion of peace and good will.)

These addresses were exactly what Anesaki had hoped

against; he tried to bend the conversation toward other themes, but the occasion failed to warm up in his channels or any other channels. My colleagues took early occasion to slip away. Probably I was alone in welcoming the ruin of Anesaki's kindly plans. I wanted to pursue the enormously fertile theme that Viscount Ishii had opened; and after lunch, he and I with Anesaki and Zumoto found a corner, and carried on.

"Viscount Ishii," I opened. "What you say is true. But of course, neither Japan nor the United States has any intention of physically trespassing on the territories covered by what you so strikingly designate as our respective Monroe Doctrines. Is not the issue in another quarter, namely, whether the *opinion of Japan* is pertinent to what the United States does on the American continents and whether the *opinion of the United States* is pertinent to what Japan does on the Asiatic continent?"

To my surprise, Ishii assented. "To be sure," he said, "that is the question at the moment, though intrusive opinions might be the prelude to intrusive acts."

"May not an opinion be critical without being intrusive? Is it not the principle of the League of Nations—of which Japan is a member though unfortunately we are not—that the behavior of each nation is the concern of all and therefore the free expression of opinion shall not be regarded as intrusive or unfriendly?"

"No doubt, that is the case."

"What the League stands for in the world makes all the difference in the meaning of a critical but friendly comment. I trust, Viscount, that Japan will take no step to diminish [I should have said 'further diminish'] the prestige of the League in Asia."

"Mr. Hocking, I can assure you, as President of the

League of Nations Association of Japan, that Japan will take no such step."

I had known nothing of Viscount Ishii's pro-League connections. My remark about the League was stirred in part by the fact that Tokyo papers were at that time full of criticism of the League, on the general theme "What has the League done for Japan?"—with the veiled or unveiled implication that Japan would better withdraw from an organization whose only influence was to tie her hands. Less than a year later (March, 1933) Japan announced her intention to withdraw. Whether Viscount Ishii knew at the time of our conversation that this step was imminent, I doubt; he was no longer at the center, and besides, no modern nation is a unit in the development of policy. Even the pro-League group in Japan was behind the Manchurian adventure, and was at that time still hoping that an indecisive League which had not already invoked sanctions would bring in through the Lytton Commission an equally indecisive report on Manchuria. The conception of a Japanese Monroe Doctrine was a device which might for a time be fancied to save the face both of Japan and of the League, while furnishing cover to a possible secretive war-party.

We who had seen the operations in and about Shanghai, the seizure of lands on the Whangpoo north of the city for airfield purposes, the busy transfer of Japanese troops and supplies across the international city, in violation of treaty agreements, could not doubt that further aggressive designs were on the drawing board. And all China was apprehensive. Mme. Chiang Kai-shek had said to me in Nanking, two months earlier, in almost the identical words of Sir Arthur Salter in regard to the League, "If they will only give us ten years more, we shall be ready for anything they can do," *they* meaning Japan. China had five years instead of ten:

the attack heralding an all-out war of conquest began at the Bridge of Marco Polo in July, 1937.

At the moment of our presence in Tokyo the die had already been cast to the extent that the resolution to continental power was taken, and that continuance of relations with the League was dependent on the League's acquiescence in the new Monroe Doctrine. The turn to war was taking place.

And what Japan was then doing, without effective opposition from the League (or from England—and we had offered to co-operate with each of them in this case), Italy was encouraged to do in Ethiopia in successful defiance of League sanctions. The League's needed ten years were likewise not granted!

Five Years From '28: Germany Follows Suit

The time is October 14, 1933. The place is Jena (and might have been any town in Germany on that particular evening). A typical once-middle-class family more or less ruined by the inflation, and adding to income by taking in a boarder, is listening to a radio musical program. The boarder is an American student, one of mine, very aware that he is in Hitler's Germany; he writes me as follows:

"Into the midst of a suddenly interrupted musical program the special message came—unusually late—that Germany is out of the [Disarmament] Conference, and, five minutes later, that Germany is also out of the League; and that the Führer will give a speech tonight.

"There was a shout and a cheer from all the L——'s, the four. Up they jumped, laughing and dancing. I imagine that

they felt in somewhat the same holiday mood I associate with my memory of the Armistice. . . .

"Jena city had a grand lark. Extra editions of the papers, though it was Saturday evening. The Saturday bells 'ringing in Sunday' rang with a peculiarly joyful swing. . . . Germany had said 'No more nonsense; we will not be treated like a guilty criminal.' "

Not all Germans were so light-heartedly ecstatic: in Berlin, more Europe-conscious, there was grave misgiving; and in Jena, too.

"Fräulein Eucken found the news very sobering, because of the possibility, the likelihood, that other nations can now say simply, 'You see, Germany doesn't want peace, so of course we must keep our arms.' "

My correspondent was under no illusion as to the depth of political wisdom expressed in the spontaneous jubilation of this family, and of the town. Such people in Germany, not too well informed, were "patriotic in the American-Legion way, victims of national and press propaganda, having no way—and not much wish—to check up on it." What they knew was that a change had taken place in the public atmosphere, that instead of continuing indefinitely with pseudo-patience to suffer and lament League pressure, the nation had suddenly decided to stand out, in "the first self-respecting gesture made by Germany since the war."

It was now fifteen years since the Armistice. Germany had taken her bitter pill and much of Wilson's cure-all, had tried "fulfillment" and partnership and democratic people's-self-government with attendant party bickering, inner frictioning, and self-neutralizing, had plunged into new economic miseries in the wake of the American financial crisis, had lost faith in Wilson-and-Weimar capacities, and had invested not a full half of its faith but near forty per cent of it in a highly synthetic, strange-bed-fellow anti-Weimar

party—also, antifulfillment, antirepublic, anti-Semitic, anti-Communist—a rough-riding, much-promising-and-threatening Party of Action, the Nazis. To the leader of this party, the aged president Hindenburg, in bewilderment if not desperation, had at last confided the destiny of the state. This Leader—amongst other things confused and violent and less well heard—was now saying most audibly to Germany, "Lift up your head!"

To this word, the poorest intellect could respond. There was surely danger in it: Berlin, Hitler himself, waited during the following days in apprehension of summary words and deeds from a Europe resolved to maintain the prestige of its organs of common action; but no sound came. The League, already flouted by Japan (March 17, 1933), appeared condemned in weighty matters to chronic irresolution and delay. Its silence seemed to justify the decision to proceed without it.

More than any detail of Party program, it was this swift relief from cramp-box head-bending that gave Hitler his tentative place in the nation's acceptance. Convinced by Nazism? Far from it; what Nazism was, few knew, and what they could see fewer liked. Convinced only that Germany must live and act, and to this end, disposed to listen to a resolute Agent and Actor.

And Hitler, having thus rudely rejected the proposal before that Disarmament Conference—namely, that Germany must accept a probationary period of five years, before being allowed equality of status in regard to arms—might now feel authorized at home and abroad to bring German arms to the level of France or of England, certainly not of France and England together.

Yet strangely enough, and most significant for whatever further happened in Germany, *Europe was going to acquiesce* in a not deeply concealed rebuilding of German military

strength, soon running far beyond what Briand five years before had suspected and had denounced as intolerable and treacherous!

This rebuilding was to be not so much on traditional lines as with concentration on newer phases of warfare: the air force which in World War I had begun to demonstrate its immense military future, and mechanized units fitted for swift and intense striking power. In doing this, Hitler labored under—from his view—a great handicap at home, the deep aversion of the German public to further war: re-armament was well enough if it meant simply that Germany secured independence for honest action, but, for the aggressive enterprises latent in the—as yet to their view—vague Nazi dream, Germany as a whole had no stomach. For this, Hitler had first to capture with educational lures—some of them having merit—and then remould, the mind of German youth, at the same time insulating and minimizing the influence of the demurring older generation.

And meantime, he could undertake no démarche toward rectifying Germany's position under the Treaty unless he could count at each step on two things. One, the continued sense of injustice within Germany over specific Treaty stipulations, such as the demilitarized Rhineland and the prohibition of union with Austria. And the other, a *half-guilty conscience in the outside world,* such as would hamper any prompt and decisive action in checking him, especially in England and France. He would have to move, if he moved at all, into situations where the moral position of the Treaty, valid or not, was weakest from the standpoint of European opinion.

This he did. Into the Rhineland, March 7, 1936. Into Austria, March 12, 1938. Without war though not without arms, by merely brandishing the forces which he had now made himself free to assemble, he swiftly and materially

altered the position of Germany in Europe. And the outside world, scandalized, disturbed, reluctantly recognizing new facts as fractionally justifiable, paid resentful but "realistic" respects to the author of these deeds in its official conversations with Berlin, skeptically hoping—if that is a possible state of mind (gambling may be a better word)—that Hitler might have an ounce of honesty in his step-by-step declarations that he had "no further territorial ambitions in Europe." During Hitler's first five years as Chancellor it remained psychologically possible for diplomats [7] to place perhaps ten per cent credence in his word—Mr. Churchill standing out, indomitably suspicious and warning.

The point on which I here dwell is that these first deeds were *not Hitler's deeds alone.* He could not have made the Rhineland *coup,* for example, without some measure of European assent, of which he knew. Having a modicum of reason in them, these deeds cannot be put down as pure evil. From the German viewpoint, they tended to confirm Hitler's leadership—I say "tended to confirm," for his leadership was never complete; Germany, too—apart from the rabid Party center—remained dubious, deeply worried, and with one fixed reserve: "It must not lead to another war."

The emotional relief and outburst of the German family in Jena on the evening of October 14, 1933, may thus stand as a symbol of the nation's mind. The relief was valid: it was time for Germany to lift her head. The act of withdrawal from the League, dramatically successful in shaking off obstacles, and scruples as well, was none the less a calamity—for the League, for Germany, for the world—the responsibility for which, widespread as well as local, laps distantly our own shores. We were not there.

7. Wholly ignorant, of course, of the secret staff-meeting in Berlin, November 5, 1937, to which Hitler outlined policies that alarmed his own confederates. Nuremberg Document 386 PS.

Another Five Years: "Munich"

The time is 1938, Friday, September 30. The place is Cambridge, England. The nation is receiving from Mr. Chamberlain the report of his pact with Hitler over Czechoslovakia.

During late August and early September, we had been in transit from Dubrovnik to Munich and from Munich to England. Wherever we could speak with Germans alone, we found the overhanging dread that "he will get us into war." In Munich (where Nazi birth-places were marked off as spots to be reverently noted) the church groups were in open opposition; Cardinal Faulhaber was speaking from the Cathedral against the latest measures for restricting access to education for the priesthood. At Nuremberg, Parteitag *was in progress; brown shirts everywhere in evidence, strict discipline, trim, well-held figures, for the most part courteous, no visible arrogance, emotionally* latent, *waiting for the signal to be given by the Führer's address on the evening of the 12th.*

On that evening we were in Coventry. At our hotel as elsewhere, England was listening with tense concern to Hitler's speech. His present cause is that of the Sudeten Germans. He lists the complaints of that minority in Czechoslovakia with impassioned vehemence. His voice quivers with emotion; he leaves the common registers, breaks through the limits of human tonality into ranges of animal passion. He ends with words more screamed than spoken "Ich spreche von der Tschechoslovakei"—*"I am speaking of Czechoslovakia."*

As I listened, the question, "Is the man sane?" gave way quickly to another question, "Is he violently working up what he knows to be a bad case?" His case was, in fact, flimsy to the point of wild caricature—all the more to be bolstered, therefore, by artificial fury. He rants as a false actor bent on evil.

During the ensuing fortnight England was absorbed with the question, What will he do? On Monday, the 25th, the question was answered from the Berlin Sportpalast: Hitler will have his Sudetenland by Saturday, October 1; if not, there will be war. This is his first open ultimatum from the standpoint of a rearmed Germany.

Then what will England do, and France which has special commitments to the new state of Czechoslovakia, the fairest creation of the Versailles Peace? Next day, Tuesday the 26th, Hitler will parade before the eyes of Berlin his armed might, and the world will hear of it. Toward evening a motorized division is called out and driven across the city heading eastward, the people being expected to turn out with wild enthusiasm. What happened? Let William Shirer tell:

"They ducked into the subways, refused to look on, and the handful that did stood on the curb in utter silence. . . . It has been the most striking demonstration against war I've ever seen. . . . They are dead set against war." [8]

Nevertheless, neither can Hitler withdraw his threat nor England doubt his determination. And England is not ready to fight—at least, not for this. Chamberlain (evening, September 27) speaks to the nation to the effect that it would be "horrible, fantastic, incredible"—considering the disaster which war is—for England to become involved in war "be-

8. *Berlin Diary*, p. 142 f.

cause of a quarrel in a faraway country between people of whom we know nothing." And neither England nor France is willing to use the aid of Russia, professedly ready to help Czechoslovakia if attacked, though already in secret correspondence with Hitler. It was necessary to press Beneš to reach some accommodation with Hitler; after all, the Sudetens *were* Germans! Hitler's sudden invitation (September 28) to Chamberlain and Daladier to meet him with Mussolini in Munich seemed to offer a way to a settlement short of war. Such a settlement had to be reached, at whatever cost—to Czechoslovakia.

As Thursday faded into the small hours of Friday morning, September 30, Chamberlain and Daladier, Hitler and Mussolini, at Munich, signed the pact which gave a to-be-defined Sudetenland to Germany, not on October first, but beginning at that date and running to the tenth. Czechoslovakia, not represented at the meeting, received this consideration—in substance nothing, a graduated delay of ten days!

At 1:30 A.M., two representatives of Czechoslovakia, waiting outside, are told—not by Hitler, but by Chamberlain and Daladier—that they will have to accept these conditions. They know, what perhaps neither Chamberlain nor Daladier realized, that Hitler was far less concerned for the Sudeten Germans than for the geography of his advance. The Sudetens, his *only* plausible pretext for action, were only his pretext. Germany was now across the Erzgebirge and Böhmerwald without a blow, and within a stone's throw of the greatest arms factory in Europe, the Skoda works. She had the Sudetens, that was a detail: but Czechoslovakia was at her mercy, and the way to the East was open.

And one further item: Hitler had browbeaten the two greatest nations of Europe; they had, in effect, surrendered, and had cast to the wolves—namely himself—one of their most precious achievements. If this was diplomacy, Hitler

was now the master diplomat; if it was power politics, he was the champion power politician. This stroke, which many of his own entourage had expected to fail, convinced multitudes of Germans that Hitler had indeed a Voice to guide him; and among these dupes of success was Hitler himself. He began to believe in his own infallibility. His cause had for the first time been thoroughly crooked; the road he thereupon followed was the road to perdition.

Daladier knew that he had been beaten and that the honor of France had been stained; he returned a crushed man. Chamberlain, in the belief that Hitler was now content, realized indeed that Czechoslovakia had paid the price for Europe's peace, but still tried to think it was *peace* he had thus bought through the sacrifice of a friend. By evening in London, he presents his gift to the British people. For "the second time in our history"—so he announces to the crowds gathering about 10 Downing Street, "there has come back from Germany to Downing Street peace with honour. I believe it is peace for our time."

In general, the English people received this report at its face value. On the following Sunday—I remember my sense of confusion and dismay—the churches of England celebrated with special services the arrival of "peace with honour." Three notable churches, as I recall, declined to celebrate, among them the cathedral church of Chichester.

But within the general joy of relief—I might say, at the heart of it—there was a nation-wide subconsciousness of foreboding. Almost at once, the energy of rearming which had been hesitantly begun in 1934 was redoubled.[9] Much

9. "It is perhaps remarkable that, in a debate on policy based on 'peace for our time,' the only issue on which there was complete unanimity of opinion was the vital necessity for the rapid completion of Britain's rearmament." John W. Wheeler-Bennett, *Munich, Prologue to Tragedy,* p. 187.

that went forward the public did not see; but there were open preparations for protection from the much dreaded danger of bomb attacks which involved even the stranger within the British gates. Bomb cellars were dug in available places on patterns officially provided; the choir boys of King's College turned up parts of their lawn for this purpose. All residents, citizens or not, were supplied with gas masks and protective clothing. Britain turned immediately, as if stung by the event, to face the appalling realities. And when, for the second time in one year, the call came to stand by or abandon "a faraway country" of whose people "we know nothing," Britain no longer invoked these craven words but accepted the gage of combat on the ground of its own commitment, and at a far greater disadvantage because of what the Munich pact had yielded to a Hitler who then stood in naked defiance of every principle of decency in international dealing.

But at Munich, and in the preparatory campaign for Munich, the sinister thing that happened to Hitler was at least as fateful for history as what happened to Czechoslovakia. Not for fruitless contemplation of might-have-beens, but for a just sense of the course of Germany to the middle of 1938, one may reasonably ask how Hitler and Germany would stand today if he had stopped at the point of the *Anschluss* with Austria, making that *Anschluss* a benefit not alone to Germany but to Austria as well. Much domestic villainy was going on in Germany during those five years, 1933 to 1938; much of the external achievement could have stood as a stabilizing work for Europe. . . . At least to this point, the work of Nazism, taken in detachment from its authors, was not all bad.

XIV

Omitted Teaching: Postulates of World Politics

These vignettes do not add up to a history. Their intention is simply to catch the spirit of history, in a few of those fateful turns from which the German disaster flowed—not so much the story of the events as the meaning of them, as that meaning would be felt and understood by the common citizen. I have hoped in this way to show more clearly the nature of that malady for which we wished to offer a remedy through our teaching, and now to enquire whether the remedy was in fact offered.

Our sketches bring us only to the verge of the rapids plunging toward war, not into them. For it was in this portentous prior period that the crucial decisions were being arrived at, with intense anxiety and hesitation. To appreciate their difficulty we must recover a dramatic ignorance of much that we now know. We must live through this period not with the late wisdom of subsequent developments but with the strained groping-in-darkness of a mystified world-moment—puzzled by the double face that Nazism presented both to its own nation and to surrounding Europe, forcing both to speculate over Hitler's character and hidden purposes, reluctant to believe the full depth of his possible duplicity and violence.

The sinister possibilities were in all minds; the danger signals were plenty; they were being read by the German people as well as by others. By the summer of 1938, the word *Nazi* had become a portent of dread to large segments of Germany; and there were not a few near the center of action who had begun to see safety for the nation only in Hitler's sudden death. At the same time, it is beyond doubt that the Party had done things for Germany and for Europe that needed to be done and that no other agency had the *élan* to do. Over against the danger signals stood this fact.

What were these things done that needed to be done?

I am not referring to incidental domestic benefits, as seen by the German farmer accorded a fairer status, by the wage worker rescued from unemployment, by the youth given a new and freer comradeship, with discipline and loyalties of a tangible (and myopic) sort, by men in business and industry welcoming a militant antagonist to a creeping communist infiltration. These "good sides" of Nazism (assumed in the surveys made by our Office of Public Affairs [1]) were part of the political bait without which the Nazi hold on various German groups could not have existed.

I refer not to these but to the external actions of the Nazi Party, its rapid strokes to rectify elements of the Versailles settlement widely recognized as iniquitous. And through these, I refer to the recovery of morale within a Germany slowly gaining in capacity to act as a unit in European affairs. It had brought to a baffled and dispirited nation, there most rebuffed where it had most sincerely undertaken "fulfillment," [2] a modicum of self-confidence.[3]

1. See the *New York Times,* January 18, 1953.

2. See above, pp. 180–83.

3. It is this which elicited Churchill's words of recognition. As Sir Nevile Henderson puts it, Hitler "had restored to Germany her self-respect, and recreated orderliness out of the chaos and distress which had followed her defeat in 1918," *Failure of a Mission,* p. 31.

These, I say, were positive achievements.

But whether to welcome or to fear and reject them as gifts proffered by Satan for Satan's own ulterior ends—this was the over-all Sphinx-riddle on which European feeling and diplomacy were radically divided.[4] In England, the division reached the point of crisis in Government. There were those, led by Anthony Eden, for whom the League and its standards marked the clear path of international duty. And when Government, after winking at the Japanese démarche in Manchuria, proposed to call off sanctions against the Italian aggression in Abyssinia and in the same vein to support tyranny in Spain and to digest the extra-legal audacities of Hitler, Eden's conscience compelled him to resign. Out of the Government with Eden went his type of principle, saddled with the disreputable label of "idealism." The Chamberlain group plumed itself on the contrasting virtue, "realism," which seemed to mean that it was prepared to put up with quite a bit of shady politics if the result could be considered to promote the interests of England or of Europe. For realism in this sense, principles if not precisely a vice are a dangerous impediment: compromise is the great technical resource. With Eden and his principles out of the way, it was easy for Chamberlain to play along with Hitler

4. And which may still divide those who read these pages. One's answer must depend on whether one is sure he knows Satan when he sees him, and would have known him at that time. This assurance is itself likely to be retrospective and fallacious. As the Nuremberg Court reviews this period in its first Judgment, the whole Nazi era appears as a single block of premeditated crime (*Das Urteil von Nuremberg*, pp. 15 f.)—a view of the history which is contradicted both by fact and by all probability. If this had been the case, the figure of Hitler would be divested of the one quality that makes him culpable—his freedom to decide. We know in fact that he had his own spasmodic agonies of decision; that he descended not abruptly but step by step into the pit of evil, and only after Munich became the demonic spirit of conquest-or-ruin.

just so long as Hitler's demands had a degree of support in European opinion. But when at Munich those demands went far beyond this point, Chamberlain's realism, no longer easy, still bade him follow for the sake of the peace he thought he could win.

It becomes clear that the words *idealism* and *realism* here rather conceal the issue than clarify it. In fact, there were no clear-cut idealists in the field. Those who like Eden held to the League were in the morally ambiguous position of upholding the corrupt features of the settlement as well as its right and necessary features. Neither were there any bona fide realists. Chamberlain, whose realism was—to use Roscoe Pound's phrase—a boast rather than a conviction, missed all but completely the realities of the case. Forced in the prevailing uncertainty to guess and take chances, he played the chance that at the bottom of Hitler's ranting mentality there was a residuum of reasonable restraint—a reasonable gamble—but he played it with a too evident weakness that invited scorn rather than respect. Compromise became appeasement; and appeasement was fatal, because it convinced Hitler that the fractional ingredients of justice which had hitherto floated his long risks were no longer necessary: he could step out on the genuine and unadulterated realism of pure power politics. He now knew that the France of Bonnet and Daladier would not go to war to sustain its pact with Czechoslovakia, and that the England of Chamberlain was unready to fight and was prepared to go far to avoid war: he cast the die. He thought he knew what the world was made of. He was wrong.

Why was he wrong? Where did he begin to be wrong? Was he always wrong? *What had we to teach Germany?* We who stood out from the League could hardly maintain with Eden that accepting the program of the League would have

brought solution to the actual problems of Germany. Were we prepared with an alternative? Had we, in fact, anything to offer for Germany's specific dilemma?

The answer, I fear, has to be that we hardly concerned ourselves with the specific problems of Germany.

In our rôle as belligerent, we had no need to. It was unnecessary, in order to be sure that Hitler's way was wrong, to figure out what would have been a right way out of Germany's troubles. Stopping Hitler was the evident and imperative common cause: it neither called for nor admitted delving into European history.

But from our rôle as belligerent to our rôle as teacher the step was long: for a teacher, the problem of the right way could not fairly be evaded. If war-making is now an absolute wrong, and peace therefore an absolute requirement, it is all the more incumbent on the peace-demand to show how international problems are to be solved. For clearly, the word *peace* solves no problems. Taken alone, it is a repudiation of responsibility for the state of things on which the peace-curtain falls: then we who drop the curtain are bound to enquire whether the freezing of a world *status quo* in the name of peace leaves outstanding any questions of justice. And if so, whether any available procedure or League or U.N. is competent to deal with them. This enquiry, I say, was incumbent on us as teachers, and with reference to the specific problems of Germany.

I raise the question whether we fulfilled this obligation, or whether this essential part of our teaching was *largely omitted,* because of an assumption widely shared that the ideal of peace, with its newly devised instruments of conciliation, would contain by implication the necessary answers.

Peace Not an Absolute Good

When I say that the word *peace* solves no problems, I am not saying that peace is not an absolute requirement: if in the world of Hitler peace had become a moral necessity, in the atomic world of today it has become a condition of survival.

But I point out that an absolute requirement is not on that account an absolute good.

The simple repudiation of war as an instrument of national policy is a negative precept. If peace means no more than this, so far from being an absolute good it may be a sanctioning cover for evil. It may be arrogant, shameful, cowardly, venal. It may be a demand by those who have upon those who have not that they be quiet; it may mean a corrupt reciprocal acquiescence in transferable wrongs; it may mean that questions of justice are referred to tribunals whose competence or lack of bias is subject to an equation of fallibility, or that such questions are wiped from the slate as irrelevant to those specific problems of status among nations on which German destinies so painfully hung.

Peace can have no standing in this world as an absolute good unless and until it abandons this negative posture and becomes an affirmative policy—a policy in which nations imposing peace shoulder in principle the problems of those on whom peace is imposed. Only thus can peace become "a just and durable peace"—durable *because* just.

And this implies that questions of justice are not to be expunged from problems of status among nations as irrelevant; that such status-problems are not to be set aside as "non-justiciable." It implies, on the contrary, that from now on *friends of peace must be in the first place friends of international justice in matters of national status.*

This proposition bears hard on traditional ideas of international relations, and not alone in America: it requires of us a moment of scrutiny.

The Pre-Legal Issues

Our natural impulse in dealing with international relations is to assume that the principles which apply to a society of persons can be transferred directly to a society of nation-states. As individual persons have rights and duties which become the bases of domestic law, so nation-states have rights and duties, the bases of international law. This analogy is, indeed, all we have to go on in building international law: there must be identifiable responsible subjects, legal persons, if there is to be any law at all. But the analogy is notoriously shaky, and at a point which threatens the whole structure: the unit-subjects of domestic law are (primarily) biological individuals, normally well-outlined and unconfused and sufficiently alike to support a postulate of *equality* in rights and duties; the unit-subjects of international law are man-made, unlike in every namable respect, and marvelously alterable—compare the maps of Europe at any two dates a hundred years apart! Human individuals are not liable to such mergings and divisions, loppings of segments from one to graft them on another. Law must be able to count and identify its subjects: but no fact of nature seems to require that England, Wales, and Scotland be counted one instead of three; or that Norway and Sweden be counted two instead of one! Other ways of counting them have been tried. How many such subjects are there in the Soviet Union? or in the British Commonwealth? Again, law must assume some sort of equality among its subjects: for law, strictly speaking, is a set of general rules applying alike to all members of a community: but equality among existing

nation-states finds the going very hard, even in the U.N.! The identity and number of the subjects of law must obviously be determinable before that law can operate: these questions are therefore prior to the question of what the rules shall be—they are, allow me to say, "pre-legal."

And since nature itself provides the subjects of domestic law, these pre-legal questions have no strict analogies there: international law cannot lift principles for dealing with them from that source. For this and other reasons, it has been customary since 1911 to refer to these and similar questions of identity and status as "non-justiciable." Yet it is *just these pre-legal questions that are the chief breeding-places of war.* For—without doubting that nation-states frequently have an ethnic basis—wherever the human will enters to determine the existence and outline of a nation-state, an element of the arbitrary enters which invites men's efforts to change. And since such efforts apply to that pre-legal region which must be shaped before law can operate, they can break no law: they take place as it were in the womb from which the subjects of international law are born. They can pose as pre-moral as they must be pre-legal.

Now we Americans have, as a rule, accepted the distinction between justiciable and non-justiciable issues among states. Mr. Cordell Hull has rested heavily upon that distinction. We have accordingly taken our part in developing techniques of arbitration and "peaceful change" for settlements out of court of the non-justiciable issues: we have in effect made the willing acceptance of these techniques a pragmatic definition of the "peace-loving" disposition of nations. But the logical dilemma remains:

Either these questions of existence, boundary, etc., are in fact pre-legal and pre-moral, involving no issue of justice—in which case efforts to decide them by political will cannot be denounced *at law;*

Or else, these questions do involve issues of justice—in which case the boundaries of Germany (for example) have to be considered *by us* from the point of view of justice, and not merely from the point of view of a military decision.

Which horn do you choose?

The Question of Justice Cannot Be Excluded

In my judgment, the second horn is the only possible position, and the only one with hope for a peaceable future for mankind. It is the only possible position, because the question of justice cannot be kept out of any human action. The distinction between the pre-legal and the legal is clear and valid; but the question of justice is wider than the question of formulable law. In a special sense, all international issues are unique, and escape the strict application of any rule or precedent; but the question of justice penetrates to the unique as well as to the classifiable issues.

And if anything is clear about the feeling within Germany, Nazi and non-Nazi alike, during the period 1919 to 1938, it is that the question of German boundaries and colonies was regarded as a question of justice, and that Nazism grew strong because of a deep-going *moral* opposition to any "fulfillment" policy which implied acceptance of the Versailles Treaty as finally-settled fact, never again to be questioned, and acceptance of the League as its legitimate interpreter. Hitler's first steps, 1933 to mid-1938, built on this justice-feeling and its fainter echo in Europe. His later steps, which violated this justice-feeling at every turn, justified our war. The former period, rich for us in instruction just because of this wraith-like operation of a justice-feeling devoid of institutional recognition, strongly suggests that the entire conception of the "non-justiciable" issue needs to be overhauled and the outlines of a new chapter of international

law to be drawn—a chapter on elements of justice in the pre-legal region of status and domain.[5]

The Illusory Justice of Comparison

It will be well, in order to see matters clearly, to notice first the chief reason for the persistent doubt whether justice is pertinent to the pre-legal issues, namely, the almost irresistible and yet usually footless disposition to put up claims of justice based on comparison.

In domestic matters in a democratic social order, comparisons are the strong lever in developing conceptions of right: "Smith has so and so; why should not Jones have it also?" In the international field, where unit-subjects are and must be highly unlike, this type of argument leads, more often than not, to absurdities: "Ireland has ample access to the sea, why not Switzerland?"

Nations have once and for all to accept the fate of the incomparable, the accidents of birth and place, the incurable crookedness of geography and event. History never combed out the nations in equal strands for neat braiding. Nations of the north have no more claim to "places in the

5. I am happy here to find a certain corroboration in the recent work of J. L. Brierly, *The Outlook for International Law*, Oxford Press, 1944. Professor Brierly seems to hold that no dispute is in its own nature non-justiciable, since "*Any* dispute is justiciable if the parties are willing so to treat it" (p. 122). And he freely recognizes that boundary issues (for example) may be issues of justice (p. 127), though both sides of a boundary dispute may think, and be right in thinking, that justice is on their side! I do not agree that the distinction between the pre-legal issues, shaping existence, and the issues juridical in nature is a subjective matter: that distinction is objective and radical. But I do agree that the question of justice is pertinent to the pre-legal: and I add that we must try to formulate its application. This development seems to have been foreseen by the German jurist, Josef Kohler, in *Moderne Rechtsprobleme*, 2 Aufl. (Leipzig, 1913), section on Law of War.

sun" than nations of the Equator to places at the Poles. It is no more a matter of justice that the Ukraine is roomy and Germany crowded than that Germany is large and Holland small or that Greece is old and Finland new or that Britain was early to the game of empire and Germany late.

Comparisons, it is true, are not all impertinent, when Nature's oddities interlock with man-made and therefore alterable conditions. In an economy rapidly becoming a world-mesh, comparisons of standards of living are in order, a necessary stimulus to the self-judgment and effort of backward areas, a spur to speculation of the non-backward when inequalities can be fairly remedied by human will. Germans in 1900 might reasonably raise the question why the British standard was so much higher than that of Germany. It was right for them to be disturbed, if at the same time they had asked why the German standard was so much higher than that of eastward nations, such as Poland, and if their enquiry into causes had not settled predominantly on the theory that the British colonial empire answers all such questions, and that Germany must file comparable claims to support the circuit of her growing industry. The comparison has some sense; it may fairly raise a question; it cannot of itself determine a right.

Within a frame of equal respect for universal standards, nations have to be governed by an *ethic of inequality*.[6] So far as Pan-Germanism and the Hitlerite dream were spurred on by comparisons, the element of irrelevance tended to smother whatever valid grounds there were for a claim of justice.

6. *Spirit of World Politics*, Chap. 30.

The Valid Justice of National Integrity and Mission

The ethics of inequality is based on the fact, not that nation-states are alike, but that they are, and ought to be, different; and further that if they are not different, they lose their right to exist. The right of a nation to exist as an independent entity in a world community is due—not, as Lorimer might have argued, to the simple fact that it does exist—but to the fact that it has something to do that no other nation can do. Its claim to be respected depends not on the fact that it is there, but on the fact—if it is a fact—that it has what is sometimes called a "mission."

I need not dwell on the perils of the undefined, vanity-inviting concept of national mission: we recall with mixed feelings the career of the mid-American doctrine of Manifest Destiny. No concept could on its face be less suited to legal use. Yet it cannot be ignored. It is closely bound up with the very idea of nationhood: a nation is an experiment in living, showing its character in a unique system of law, expressing an ethical and cultural sense peculiar to itself, and yet of profound concern to the entire civilization in which it exists. It is a manifestation of the fundamental sociological law that cultural fertility is the prerogative of the relatively small group, not of the whole civilized area.[7]

In other words, a nation has a right to exist just in so far as it is *culturally pregnant,* has something to say through its arts, institutions, laws, which all civilized mankind want to hear—a right which obviously cannot be built on its own ego alone! The culturally dead nation has no right to continued separate existence; and former cultural fertility is of

7. *Spirit of World Politics,* pp. 194 f. *Man and the State,* pp. 267, 372.

no value whatever as evidence of presumable cultural fertility today. There are vital nations that ought to have—not for their own sake alone but for the world's sake—what they need for their development, so far as coincident claims of other live nations permit.

These propositions open up a vista of conflicting opinions, and may seem to promise rather more than less disagreement on matters of justice, inasmuch as it would be difficult to find a nation-state inclined to a modest estimate of its own cultural fertility, and still more difficult to discover one ready to agree that it is culturally dead. I might suggest objective criteria which would somewhat relieve the embarrassments of competitive national self-esteem from which war has hitherto been the chief lane of escape.[8] But our present problem is not that of administration: whatever the practical difficulties, our present duty is judgment, an effort we dare not abandon to see the nature of justice in these difficult regions. To this end, let me propose certain inferences from this theory of right which bear on the case of Germany.

Theorems on Justice in Pre-Legal Issues

I. The fundamental right of a nation-state is a right to the conditions necessary to the fulfillment of its national mission.

Nations have just those rights of existence, independence, integrity, etc., that are essential to their cultural functions

8. The practicabilities and impracticabilities have been fairly summarized by Brierly (in the work cited, pp. 127–40), who insists that an effective system of collective security must precede any successful effort to approximate justice through peaceful change. My pamphlet on "Colonies and Dependent Areas," World Peace Foundation, 1943, contains pertinent proposals.

within a civilized community of nations. The idea of national mission has nothing in common with national egoism, for a "mission" has no meaning except within a community of nations carrying forward a joint enterprise in a single historical continuity. In such a community the individual nation-states (as well as the individual persons) will be valued each by every other, and valued the more because the contribution of each nation-state is different from that of every other, and has different conditions for its achievement. (The art of China, for example, is valued not because it is like that of the West; but because, while it ministers to a universal love of beauty, it could be produced nowhere else but in China.) In a normal community life, each state will not only care for, but promote the differing conditions favorable to the life of every other—differences in extent, population, economic system, industrial power, etc. "Justice" means this mutual concern for the nation's elementary right, which is always a right to differ, as national missions differ.

II. Any policy which pursues the notion of equality, or balance of power, through systematic efforts to keep a strong nation down in order to quiet the apprehensions of weaker or weakening members of the community, is fundamentally unjust.

It is false to the notion of community, and self-destructive in two ways: by depriving the total community, artificially, of the normal output of the stronger nation's productive powers; and by protecting the declining nation-state against the natural consequences of its incipient decay—its admonition to internal reform.

If a keep-Germany-weak policy (for example) were due to motives of security, rather than to false comparative-

justice, the answer is that security must be had; but it cannot be had by invidious growth-cripplings—it must come first of all from the community power, and then from the logic of the national mission itself. For no state can contribute to the community unless its aims are consistent with the common standards which define the community's mental and moral existence. These standards include the respect of every nation for every other as an end in itself.

III. Any nation whose government in pursuit of a presumed national mission violates the conditions of community contradicts in action the very meaning of "mission," and thus undermines its own right.

IV. Action by the community of nation-states to preserve its own existence requires it to check by force any such false assertion of mission. This action may rightly extend to administering the state whose government has implied its own rightlessness, until such time as a government can be instated prepared to observe the conditions of community existence.

Such action on the part of the community may be regarded as punitive in effect, though its justification is purely the logic of its own existence. If—in the absence of any penology for corporate entities—the concept of punishment is invoked, as applied to the offending government rather than to its individual members, the following principles must be observed:

V. Justice requires in every case of punishment that the entity punished shall be identical with the entity guilty of the offense—not some other entity, and not some later generation.

It follows immediately that

VI. No crime of a vanished government can justify cramping the permanent sources of national existence and fertility: these sources have committed no crime.

If an effort to punish a guilty government takes the form of a forced division or mutilation of the society which underlies that government, the punitive impulse shoots over its mark into countercrime, and becomes a form of nation-murder that is to be classed with genocide. If, then, after the present war-settlement there are any future war-settlements to be made, which God forbid, the following precept of justice must be heeded:

VII. No punishment by national maiming can be a just punishment; no such punishment can be tolerated by a civilized community.

And a kindred thesis, which bears on the settlement of 1919 as well as the tentative settlement of 1945, and which is as much a maxim of common sense as of justice, follows from that right of national integrity which is a direct corollary of the right of national mission:

VIII. No settlement is a just settlement (nor in any other sense a rational settlement) which aims to rebuke a wrong by worsening the conditions that begot the wrong. (As by depriving Germany of land or dependencies.)

Finally, while the national egoism of a strong nation easily runs to a pathological blindness as to the self-curbing conditions of national greatness, there is no fallacy in the

ambition of a nation-state to extend its sphere of influence, I will not say within the world but throughout the world. There is a definite sense in which, in the contemporary world, every nation is potentially everywhere.[9] The relations of expanding nations and peoples impinging on each other could in former times result only in military clash: the wars of recent centuries have been largely the collisions of mutually expanding empires. Today such mutual expansion need no longer follow the analogy of the physics of colliding solids: it has a better analogy—that of interpenetrating waves, which may pass through each other without losing identity, each at its peak contributing to the height of the other. In a similar sense, each nation does today interpenetrate its neighbors. Minor irritations, a faint echo of those which intervention always incites, still show themselves when London too palpably acts in Washington or vice versa. But underneath such passing frictions there establishes itself in the world a welcome omnipresence among friendly states, foreshadowing the structure of a world-citizenship of the future.

If, then, it is true that a nation's excuse for being is its capacity to permeate the given civilization by way of its cultural fertility, we may state the thesis:

IX. Each nation has not only a right but a duty to aim at world-power through the free spread of ideas.

This is its legitimate Will-to-Power. In respect to this, its unique offering, every nation may, without conflict, aspire to be *"ueber alles in der Welt";* and with this understanding the rest of us may gladly join in the song!

9. *Man and the State,* pp. 115 ff.

Part Six

GAINS ACHIEVABLE: LEARNABILIA

XV

Paradoxes of Moral Education

The ungainly title with which I had at first burdened this essay, *What We May Learn from Trying to Teach Germany,* still fairly defines the question that has incited our several excursions. We have followed the argument whither it has led; and if our course has appeared to the reader to have wandered into various side-provinces—those of law, metaphysics, theory of civilization, with snippets of history and reminiscence—it is because the living story of our teaching-detail in Germany, or, to speak more soberly, our task of reaching agreement with Germany on a political ethic, required no less. We have been concerned especially with what we stand to learn *about education,* in encounter with a nation of the first rank in educational prowess and learning. Glints of answers have appeared here and there in the crannies of our text. It is time to collect them and put them into order.

Let us remind ourselves once more that this undertaking was not strictly of our own choosing: it was not in arrogance that we found ourselves charged with a duty arrogantly named re-education. It was necessary consequence of the refusal of the Allied powers to interpret victory as conquest. Because of this refusal, a political security against resurgent Hitlerism had to be replaced by an inner and

moral security: we were under an implied mandate to evolve a change of heart somewhere within Germany. Our willingness under any circumstances to attempt such a task is evidence enough that we had much to learn about at least one phase of education—moral education, whether of nations or of individuals. As we pointed out, if the thing to be done was of that nature, the task was for us impossible.[1]

Not that the impossibility, if we had recognized it, would have prevented the undertaking. It is not military exigency alone, it is all life that pushes us into tasks—such as parenthood—for which thorough incapacity is no deterrent. We live only by repeated undertakings of the impossible. In the present case, we were obliged—no doubt without being aware of it—to act on the Kantian maxim, "I ought, therefore I can," though we would probably have preferred a Yankee expression of similar purport. I have in mind a Connecticut builder who, when steel-and-concrete construction was in its infancy, felt bound to master the new technique. "I learned it," he said, "by getting into scrapes and having to work my way out." As a method of self-education this sort of learning-by-daring has its merits: we had to dare, and we were due to learn.

We began early to learn something of the dimensions of our task; we were slower to recognize its formidable nature. It was a very serious U.S. Educational Mission which, in October, 1946, after a summer in the United States Zone, made its report. Its opening statement was: "The re-education of the German people is an undertaking of the greatest magnitude . . . at once the hardest and most important task facing Military Government in Germany today." God knows they were right, especially if the task were correctly defined by our State Department's words shortly following: "The task of changing the German mind . . . involves a

1. Above, pp. 46–47.

total transformation of basic German beliefs, folkways and attitudes." [2] "Total transformation" is surely a sizable order. And reaching back to the "folkways" seems to propose a belated reform of the nation's forebears. Yet this was in substance our directive. And if we proceeded, as we did, to carry it out not alone without panic but with a degree of apparent confidence, there must have been something reassuring in the way we understood our orders!

There was. And there was some sense in it.

It was our belief that the reorientation we had to try to effect, radical as it looked, was, after all, elementary, perhaps axiomatic. The radical is usually elementary.

The ideas we hoped to establish were in no sense *our* ideas. They were ideas of liberty and humanity, of honesty and reciprocity in inter-state dealings, all "generally accepted" within Western civilization, all fairly obvious and, if not as strictly self-evident as our tradition affirmed, at least potentially universal. It was possible to hope, wholly without national conceit, that, once Hitler was done for, the plain sense of things would speak for itself, with comparatively little boosting. The strength of our position—let us formulate it as exactly as possible—was *confidence in the self-recommending nature of ethical first principles.*

Seeing the point of strength in our position, we see in the same glance its pedagogical weaknesses—two of them. First, appeal to ethical first principles was contrary to the main trend of our own educational current. Second, axioms are hard to teach. Consider each of these matters.

So far as concerns our educational current, falling back on axioms was definitely not in the mode. Our era is one of

2. *Department of State Publication No. 2783* (August, 1947), p. 62.

challenged elementaries in all fields, from physics to metaphysics—not of iconoclasm but of axiomoclasm; ethics and politics do not escape the trend. For while our political inheritance was largely based on Jeffersonian natural-right axioms, the drift of higher teaching, including our teaching of the foundations of law,[3] had been for some time away from natural rights. From the mid-nineteenth century onward, it had been pragmatic in the social-utility sense, resting heavily on "experience" as the chief source of wisdom, guided largely by theories of evolution in social affairs and by the new social sciences, and proclaiming relativity in customs, morals, laws, as the highly flexible principle of judgment for all human culture. So completely flexible in some hands that judgment in the sense of criticism was in effect suspended: place, time, and context were their own justifiers: "the *mores* can make anything right" (Professor Sumner).

It is true that this trend, as issues of the Second World War pervaded the academic air, seemed suspended "for the duration." The promptitude with which, under the war situation, pragmatism and relativity—on which grounds Hitler might make a case—were dropped, not only from popular pronouncements but from official statements and the words of scholars on these themes, was both startling and enlightening. To call for a "total transformation of German beliefs, folkways," etc., is to condemn the "historical relativity of ethical standards" without a hearing! This phenomenon deserves notice.

3. Every important school of jurisprudence in the nineteenth century in Europe and for the most part in America—from Austin and Savigny to Duguit and Pound, was critical of natural rights as a basis of law. See my article in *American Political Science Review,* December, 1952. With the turn of the century, there were various signs that the rejection had been too thorough, and that a restatement of natural right was in order.

It need not mean that America had suddenly forgotten its lessons in sociology: it could have an excellent pragmatic explanation. To conduct a war with due fighting fury, a people must see things in black-and-white whether they are so or not; relativities must be veiled. Axioms become indispensable military and diplomatic expedients; it is fortunate if a combatant people has a Roosevelt or a Churchill to sound them out; their use has a pragmatic sanction, even while their philosophical vulnerability remains unaltered! This apologia leaves us (I trust) a trifle uneasy. There is, however, another explanation. It is that when men are serious —and if they are angry enough to fight they become serious —they incline to trim ship, jettison academic frivolities, and assert in acts if not in words that there is a moral absolute. Allowing whatever hesitation logic may justly recommend about identifying moral axioms or first principles, there *must be ground to stand on,* define it as you will. This was our position, and it was valid.

Yet, as teachers, we were not justified in forgetting that our own higher learning was not unanimously, nor even largely, in accord with that view of the case.

And there was a second weakness. That a truth is to us obvious does not necessarily make it easy to teach: it may be just the reverse.

For whatever is self-evident to us we incline to regard as self-evident to others also, and thus not only to require no teaching but hardly to admit of a teaching process. The axiom lies in that region which has to be assumed identical between any two speakers, hence between teacher and taught. If there were such a thing as a genuine axiom, no one should be able to doubt it; and if *per perversitatem* one of the two should doubt or disregard it, conversation would be automatically broken and the natural recourse of the

other would be, not argument, but simply authoritative affirmation—or wrath!

If there were a genuinely unconvinced person—and only such would require or admit teaching—neither dogma nor wrath would be inherently persuasive. And argument would lack an agreed premiss on which it could proceed. This appears to have been our situation with reference to any obdurately Hitlerite German: it was just the repudiation of moral axioms that Hitler, in this era of challenged elementaries, had appeared to achieve. How, then, could any teaching process be either undertaken or even defined? Let me put this down—the difficulty of the easiest (a paradox, if you like)—as the first of several things we stand to learn from our German experience:

I. The most elementary principles are the most difficult to teach: axioms, logical or ethical, cannot in the usual sense be taught.

They cannot be proved. Being "first principles," there are no prior principles from which to deduce them; any attempt at proof has to take them for granted and thus runs in a circle. Nor is there anything clearer by which they could be clarified.

The baffled teaching impulse in such cases tends to resort to the spontaneous pedagogy of the home, where the cultivation of moral attitudes,[4] seldom argumentative, is first *infectious,* then *imperative,* and then—if the subject persists in blindness—*negatively emotional.* Since there is no such thing as a completely unmoral human being, even in infancy, the

4. On the basis of an imperative, inseparable from self-consciousness, an aboriginal call to objectivity, to treat sensations as signs of common objects, which can neither be implanted nor destroyed, but only in the strictest sense e-duced.

elementary moralities are not taught but named, exemplified, praised, imitated, adopted. The family does not try to "prove that one ought to love his neighbor"; [5] it says, "Love your neighbor," or "Do as you would be done by." And if our "You ought" elicits no responding "I ought," but only a persistent will-to-pester one's neighbor, we show emotion, beginning with aggrieved affection and moving on to signs of aroused counterresolve leading toward "punishment"—punishment within the family being simply the corporeal exposition of the meaning of the word "No," with signs of displeasure. These negative emotions prove nothing; but they tend to spur the offender to discover for himself the sense of the unprovable axiom.

Emotion must be a part of any effective moral pedagogy. The element of indignation was a part of whatever effect we achieved in Germany by way of releasing the souls of those caught in the Hitler obsession. It was probably the most effective part.[6] Its efficacy lies, we say, in what it induces the doubter-of-axioms to discover for himself, and thus suggests an affirmative principle of moral education, which I will state as follows:

II. The unadmitted axiom has to be discovered through experience.

This is a second paradox, inasmuch as experience, as a source of knowledge called "inductive" or "empirical" and presumably only "probable," could only by defiance of its traditional nature give birth to an axiom! Nevertheless, I assert the paradox, and call life and Socrates to my support. Life addresses itself to the unconvinced: "You deny the axiom? Then act as if it were false and see what happens:

5. See above, p. 36.
6. See above, pp. 41, 45.

you will experience discomfiture, self-defeat; you will have to try other hypotheses—ultimately, the axiom! You will have learned through experience that 'When me they fly, I am the wings.' " So the Socratic midwifery, addressing itself to minds in which the axiom is not overtly denied but latent, embryonic, subconscious. His dialogue or "dialectic" invites the enquirer to a dramatic rejection of the axiom, and leads him to the experience of self-contradiction. The axiom is not given him, but he *perceives necessity*—the truth is delivered: an empirical route to an absolute!

The only available pedagogy for a doubted axiom is this pedagogy of experience (technically, the inductive dialectic); but it has to be the *experience of the doubter, not that of the teacher.* If we were going to teach moral axioms to German doubters, we should have had to do it through the dialectic of German experience, Germany history—not American experience or history. We were in no sense prepared to read the lessons arising from German experience; nor could any mind have done it convincingly to Germans except the German mind itself. This, as I have maintained, is what happened: German recovery was, as it had to be, a deed of self-righting,[7] so far as any moral re-making was required.

There was another aspect of our attempt at moral education which we must here recall, simply to record its startlingly clear educational teaching—the aspect of punishment.

I do not refer to the judgments of the Nuremberg trials, which were certainly not intended to educate the defendants. Nor do I refer to the German defeat regarded as the punishment of a nation incidental to the decision of war. I refer to the policy which confused our mandate, especially in the early period of our Occupation, of deliberately intensifying

7. Above, p. 49.

and prolonging the national sufferings, as punishment, for the sake of their educational effect, on the ground that only deep and long suffering would do the radical work needed.

So far as this policy was animated by a motive of retributive justice, we have sufficiently considered it.[8] We have now to look at it as an educational policy, not to repeat what we have already said of its perversity, but to summarize what we had to learn, and did learn, in so far as we gave those motives an experimental hearing and use. We have learned:

III. That since deliberate group punishment, especially on a national scale, can never be sensitively just nor affect solely the generation within which the guilt existed, it can be no teacher of justice; and—

IV. That persistent punitive spirit, even if it were just, conflicts with and poisons every positive educational purpose.

The punitive spirit, on its emotional side, has a swift and passing importance, as part of the experience that must enter the dialectic of the moral learner. As indefinitely prolonged, it has its consummation in the ancient theological invention of Eternal Retribution. This invention is not without its logic: for if it is true, as I have held, that only the good man can be punished, whereas the evil man, refusing to admit the element of justice in the inflicted pain, will only find himself hurt, the effort to punish must, in his case, be endlessly renewed! But no one considers Hell an educational institution: its inhabitants, if any, are God's permanent failures.

But were we then wrong in assuming, as justifying our Occupation on its educational side, that we were actually in

8. Above, p. 86.

possession of certain ethical first principles, applicable to political behavior, which any right-minded people would come to accept, whether by our direct teaching or by its own reflection upon its own experience?

We were not wrong.

Indeed, we should probably put it down, as one of our primary gleanings from this teaching enterprise—whether in logical order or not doesn't matter—that we suddenly regained rapport with the original persuasion of American political life:

V. That there ARE *ethical first principles, affording firm ground for the judgment of political behavior, national and international, our own and others'.*

We were not wrong. At the same time, we were not all right. For it is a characteristic of these *a priori* ethical truths, revealed as the last results of a dialectical journey, that while they always contain rightness they are *always imperfectly formulated.* They are right in the sense that rightness is in them, though seldom or never coextensive with their verbal statements. Jefferson's three "unalienable rights" have something eternal in them: they stand, though they are neither birthrights nor unalienable. They require constant reinterpretation, as does our Bill of Rights, by way of the experience-driven sagacity of our High Court. Rights of life and liberty, announced as absolute, show themselves as requiring firm limitation; freedom of speech and of the press must hold themselves within the law of libel, slander, blasphemy, sedition . . .[9]

Hence, while the dialectical discoveries of principle by different nations must tend to converge upon the same area

9. See my *Freedom of the Press,* pp. 74 f., with comments by MacLeish.

of first principles, they will also tend to differ in expression and application in ways mutually instructive. For this reason no nation, justly holding its own certitudes, can hold superfluous the instruction it may receive from the experience of another nation in this same field of the ultimate basis of political ethics. It follows:

VI. That while German formulations will ultimately have to coincide with ours, ours in turn will ultimately have to coincide with the German. The rapprochement will be mutual, and the instruction mutual.

Not, then, through any teaching of ours, though doubtless aided by our faith, but through the self-righting reflection of Germany on its own experience, will the challenging of these elementaries and the disaster that followed become an asset to all mankind.

XVI

Social Sciences Ambiguous

Turn from our effort in behalf of Germany today to our effort to mold the Germany of tomorrow through the schools.

Next to the Soviets, it was the American Occupation that most thoroughly took the German school system, lower and higher, into its purview with an eye to its reform. Our recipe, with its directives under many heads, was comprehensive; but so far as the content of teaching was touched, our emphasis rested chiefly on one region—that of social studies. The Education Mission to which I have referred, reporting in '46, reached the following judgment:

"The most important change needed in all German schools is a change in the whole conception of the social sciences, which should contribute perhaps the major share to the development of democratic citizenship." [1]

It is fair to remember that this judgment was reached early in the period of the Occupation; and that its impetus is carried over from the Potsdam Agreement, providing among other things that "German education shall be so controlled as completely to eliminate Nazi and militarist doctrines [not the teachers alone, mind you, who were to be taken care of by denazification, but the doctrines themselves] and to make possible the successful development of democratic ideas." But our pressure in this direction re-

1. *Department of State Publication No. 2783*, p. 217.

mained so constant—it was in full swing during my visits in '48—and the resistance to it was so definite and well-considered, that I here resume the question earlier raised in sketch (p. 136 f.), *whether instruction in social sciences was, for the German schools, either a needed or a suitable means* for the cultivation of democracy, or other similar end. In my judgment, what we stand to learn from this German reaction and the merits of the case, is one of the most significant gleanings we can make for the whole picture of American education.

First, in regard to the apparent backwardness of German schools in the field of social studies, and the consequent need for a new emphasis.

It is quite true that the titles we were accustomed to in this field were far less in evidence. It is also true that instruction on these themes was far less separated off as a "department" of study. But these facts do not imply its absence. The German practice was the usual European practice: historical, legal, philosophical studies were permeated with active and contemporary social concern—without our *-ological* labels. Under the title "sociology," our thoughts do not as a rule run back to Aristotle's *Politics,* or Augustine's *City of God,* or Vico's *Principles of a New Science,* or Montesquieu's *Esprit des Lois,* or Herder's *Ideen zur Philosophie der Geschichte der Menschheit,* or Kant's *Vorlesungen über Anthropologie*—barely to Comte and Spencer. We think rather of quite recent sortings-out of social phenomena and their laws, carefully scientific in manner as the older writers were not. Our students would indeed have heard of these elders, and thoughtful instructors would have provided excellent books of selected readings, excerpts in English translation: the relevance of these antiquities to present-day issues is thus acknowledged. But the chances

are that our European student has read them entire and in the original languages, and knows his way to many others, and with contemporary issues in mind, wholly innocent of the thought that he has spent his time over dead authors, using "dead" languages, dealing with issues dead and forgotten. And if so, might we, do you think, grant him a certain initiation into what we call social science? I would.

To see things as they were and are in Germany we must escape the limits not only of our nomenclature, but also of our confirmed attitude as educational caterers. Since the American student seldom does or can think consecutively on any subject unless he "takes a course" under that specific title, our observers could easily fail to recognize an education in which a student, having his own natural interest in social issues, found his own fodder under many a label in which the word social does not appear. For this reason, I beg leave to report from my own observation actual situations in Germany, beginning with the early years of the century when young Germans, later to be engaged in the First World War, were doing their higher studies. Let me present a typical German student in the Berlin of 1903.

One of my fellow students—I shall call him Winters—had for his main subject Weltwirtschaft (world economics) with Weltpolitik as a side line. (We might regard each of these as a social subject, might we not?) Like most German students Winters listened to noted lecturers of the university, regardless of their advertised *Fach:* he heard Paulsen, Simmel, Dilthey, even Lasson on Hegel, not one of whom was a social scientist, all of whom had something to say on society and the state. He especially frequented Gustav Schmoller, the economic historian mentioned above (p. 122), as far more the guide and mentor of German youth at the turn of the century than Hegel or any other philosopher.

He read Nietzsche—we were all reading Nietzsche at that time—and Goethe as well (both of whom were profoundly influencing social attitudes, though neither would qualify as a social scientist), and Kant's *Essay on Perpetual Peace* (a prophetic social document with a strong democratic bent—have you read it, brother?). I cannot conceive that Winters would have been better educated in respect to reaching well-reasoned judgments on social and political conditions in the world around him by "taking courses" on these subjects, other than the rigorous economic drill he was submitting to—and Schmoller was bringing the economy of the whole British Empire into his picture. I would back Winters to give points to a well-groomed American graduate student in these fields.

The comparative advantage of Winters was the breadth of his interest and the mental initiative which made him independent of the American student's question, "What shall I read, Professor?" and which further determined his *"extra-curricular activities,"* i.e., vigorous discussions with fellow students from all *Fächer*. The day's events figured in these discussions; there was no smell of the academic cloister, nothing I could identify as "reactionary" or "abstract"; and the meanings these men read in the day's news were to me a continual revelation. Their bottleneck was not thinness in lecture-substance but the meagerness of the German press. German news could not compare with American nor with British; news of Germany could frequently come to German students through the *Manchester Guardian*. But for the academic menu in sociology, the German student of that day found his own under many names, with an admirable economy of curricular aid.[2]

2. In later between-war years, there was another reason for an impression of apartness-from-the-world in German university offerings and libraries. After the inflation of 1923 and following years, in which an entire middle class was more swiftly and ruinously wiped out than had

If German politics went astray for lack of national education in social sciences, it is hard to see how England escaped disaster. France in its universities had more to offer with the "social" label than had Germany. England in its older seats of learning had less. The growth of the London School of Economics may well be an indication of a certain want unfilled elsewhere. England came to the word "sociology" with a long preliminary distrust, not at all assuaged by Spencer's remarkable tract *The Study of Sociology*. But the English student has long had his own equivalent of my friend Winters' social-science laboratory of discussion. In commenting on the report of the British Commission for studying German universities, the Manchester Guardian remarked that while the German universities have traditionally one function—learning, the British universities have this and one other—*to maintain a "forum" on public affairs*. The remark needs one footnote: namely, that these forums are maintained not by university officials but by the students. As specifically student enterprises, they constitute an effective self-taught introduction to social studies; and—with the Oxford Union as a conspicuous example—go far to develop a responsible and competent social judgment in the semi-democracy of England.

I underline the *initiative of the students*. Because, in my view, social studies are biologically the specific area of late-

occurred in modern history, German universities were unable to buy books and magazines from other countries in adequate volume. With no deficiency of social interest, students and faculties alike remained mentally isolated from newer movements of thought in all fields. And this situation was, naturally, sharpened to the limit during the twelve years of Hitler's dark age. This state of things, felt at once by our examiners, could easily be attributed to lack of social studies; whereas the pertinent remedy, immediately applied both by our Occupation and by interested agencies in all neighboring lands and in America—the gift of books and magazines, the establishment of new libraries—swiftly altered the picture.

adolescent instinctive drives and always show their heads without authoritative solicitation. It is precisely during the later preparatory and early college years (to refer to American habits) that young men normally find their wills-to-power expanding into the social order. They are instinctively ready, of course, to beget new human individuals and a new family group; but they are also ready to beget new communities, improving on the community that begot *them.* Their education to this point has aimed to continue the social type; now it must begin to point beyond the type [3] and involve the distinctive human capacity for social creativeness possessed by no animal species. Because of these biological-mental impulses, student groups in all lands (most recently in Egypt and Syria) are centers of social restlessness, sometimes of revolution. I do not say centers of social wisdom, but simply of avid interest in whatever social doctrines their environment provides, with a yen to do something about it, which it is the duty of the university *both to sustain and to restrain.* The student in all lands is temperamentally disposed to enthuse over the quip of Marx: philosophy reflects on the world, whereas the task is to change it. What the university has to say to him is: "By all means; but *first understand, and then change*—otherwise your impetuous will-to-change can only be change-for-change's sake, a sure recipe for disaster." In this sense, the first duty of the university is to be conservative in the literal sense of seeing to it that our culture is *first understood!* But the assumption of this conservatism is that the student is already steeped in social awareness and zeal.

When Harold Laski left Harvard for England he made a comment on the comparative appetites of American and English students for serious social thought, very pertinent

3. *Human Nature and Its Remaking,* chapter on Education, especially pp. 274–79.

to this present matter. As nearly as I can recall, his words were these: "The American student is not afflicted with that passion to set the world right which keeps the Oxford student awake o' nights." Given that passion, a student's education in social matters will go far with a minimum of formal teaching. I will not go so far as to say that the American student has to study sociology in class *just because* he is devoid of that world-righting passion, though there is some truth in it. But I have to agree with Laski that—whether or not all Oxford students are so afflicted—what keeps the American student awake o' nights is, as a rule, something quite different. The typical American student's extra-curricular activities are such that any deep-going earnestness has to fight for place against heavy odds.[4] What I have here to say is simply that any college or university able to assume, with the normal biological urge, a responsible mentality toward social issues, can use large economy in formal instruction in social science, and give primary weight to its "conservative" obligation of showing *how our civilization came about,* which is, after all, social science on the most ample and fundamental scale.

Let me then put down the following learnabilia on the supposed lacks of German universities in social studies:

I. The first duty of any university in the field of social studies is the competent interpretation of the ideas and events that have made our civilization what it is.

II. Backwardness in social sciences had nothing whatever to do with Germany's political disaster. There were and are

4. A judgment precisely confirmed by a report, just now issued by Yale University's Committee on General Education (October, 1953) which speaks strongly of student "immaturity" as shown in the dominance of extra-curricular over academic interests. This report is to my

supplements in this field that may well be made (except perhaps at Frankfurt or Hamburg, where social topics have good recognition). But in Germany, the first duty of the university in this field was generally well done.

But having spoken of the question of the supposed need of German schools for more social science, I have now to raise the question *whether social science is in its nature of any use in the promotion of democracy or other social norms.* We cannot speak as if "social science" were a staple, whose substance we are fairly certain of. No one knows, simply from the title, what "social science" contains; its methods and scope are still in active dispute. So far as democracy goes, there are books in social science which very much help its exposition; and other books in social science which—without intending to do so—poison democracy at its roots. For those who propose to invest in social sciences, a preliminary enquiry into this ambiguity and other of their peculiarities is a matter of simple prudence.

Social sciences, like other sciences, must bring together (1) an array of particulars and (2) certain generalities which afford light and order among the particular facts or phenomena. By themselves, the assemblage of phenomena, cases, might constitute a cyclopedia of data—such as anthropology has been busied with for two or three generations, much stirred by Spencer's ambitious *Descriptive Sociology*—but it would not be a science. The crucial question for any science is the source and validation of its generalities—the hypotheses, theories, laws, that illuminate the stuff.

Now when any social issue is studied in the sporadic and

mind the most revealing document extant on American college life, and the most important in its proposals.

ambling light of the major historical writers—not scientifically—the generalities that emerge appear to have two main sources, (1) induction from wide human experience, and (2) ethical common sense. Take democracy. Streaks of democratic organization appear among the Greeks as recommended by a considerable stretch of political experience. But they also appear as recommended by some very simple maxims of justice, such as this: those who contribute to the success of a state ought to have a voice in its decisions. This maxim, if Lord Acton is right, was subconsciously at work in Solon's mind when he took his first steps toward a democratic revision of the laws of Athens: [5] It is in substance identical with the Latin maxim, *Qui sentit onus sentire debet et commodum,*[6] Whoever shares the burden ought also to share in the benefit. It belongs to the realm of what I have called ethical common sense.

On this showing, ethical common sense, so far from conflicting with the wisdom of experience, supports it; and vice versa. Our deeper social principles appear as a consensus of empirical knowledge with *a priori* knowledge. It is this double foundation which all such principles should have and which an intelligent reading of history reveals. History, I say, when well taught with an eye to the growth of institutions, as was usual in Germany, is the precise educational tool for showing the sense of social principles. And I raise the question whether what we call "social science" prom-

5. In Acton's words, ". . . the fundamental doctrine of Solon, that political power ought to be commensurate with public service. In the Persian wars, the services of the democracy eclipsed those of the Patrician orders . . . that class whose valor had saved the state and had preserved European civilization had gained a title to increase of influence and privilege." *History of Freedom,* p. 8. Admission of the Thetes to the ecclesia was one practical step in this direction.

6. 1 *Coke,* 99a: the converse of the maxim quoted above, p. 43.

ises to add anything to this way of understanding our own culture.

On the side of the assembling of empirical data, Yes. Through systematic arrangement and wide survey, they should be able to facilitate the review of pertinent fact over a vast area. This they do: an immediate advantage of science as against random accumulations of fact is an intelligent "command of the field" through the pertinent classification of phenomena.

At the same time, as all those who have enjoyed this advantage know, it is attended with an embarrassment intrinsic to the subject; the embarrassment of infinitude. In the physical sciences, the phenomena are of a kind: unlimited in extent, they are strictly limited in character—we know the sort of thing we have to deal with, and can conceive a unitary field theory embracing them all. In the social sciences, this clean limit does not exist. To put it somewhat brutally, What is there in the world that is not somehow "social"? Almost everything in the universe bears on social issues, except the aurora borealis; and even this is not safe—some speculators maintain that the aurora affects the stock market! We have an excellent *Encyclopaedia of the Social Sciences;* it has fifteen volumes, but it could easily run to the dimensions of a Buddhist canon. For the needs of the student of a specific problem, this majestic inclusiveness is a handicap: "command of the field" becomes a snare—there is no such thing. Infinite wealth becomes equivalent to an infinite irrelevance. No one can live as a thinker without a principle of selection for his data, such as is furnished in a rude way by the instinct-for-value of the major historians, and with an added light, occasionally will-o'-the-wisp, from that incipient sociology which has gone by the name of "phi-

losophy of history" through a long series of *tâtonnements*.[7] The advantage of the scientific approach, in the social field so far as the data are concerned, is evidently subject to a law of diminishing returns, and cannot dogmatically assume superiority over more intuitive methods.

What, then, of the generalities?

Have the social sciences anything better as their source than the convergence of induction from experience with ethical common sense?

No. But they have, here and there, something worse—induction from experience *without* ethical common sense.

When anyone utters the world "science" he invokes an ideal, that of rigorous method. This ideal is most easily achieved, for psychology and sociology, if we model these sciences of man upon the sciences of nature, and seek purely descriptive, quasi-physical laws for human phenomena. The attractions of this ideal are enormous; likewise its difficulties,—for human behavior, individual or social, cannot be brought cleanly under the vista of physical or biological law without denaturing its living reality. There are undoubtedly psychological "laws"; human beings "react" to "stimuli" as well as pollywogs. But suppose the human being whom I propose to stimulate to a specific reaction, according to a known psychological law—I may, for example, plan to sell him a bill of goods by framing an advertisement on psychological advice—suppose, I say, he learns of my project: will the law "work" or will he perhaps decide to give me a surprise? The law operates properly only so long as the subject remains unaware of its intended application; and what kind of law is that which becomes invalid on being discovered by its

7. That this scientific interest is one impulse under the effort for a philosophy of history is recognized and well documented in Paul Barth's significant essay, *Philosophie der Geschichte als Soziologie,* 1897.

terms? The protons never find out what the scientists are saying about them, but men do. To become pure sciences, the sciences of man have to abstract from self-consciousness, freedom, purpose, creativity. And scientific abstraction is always justified, so long as it is intentional and admitted: it becomes dangerous only when a fraction of the man is presented as the whole man. This danger becomes imminent when sciences, which may be pure sciences, are offered as supports to a social ideal, such as democracy.

For if they are purely scientific, in the natural-science sense, they must exclude ethical common sense as an alien consideration; and in that case, instead of supporting democracy and world peace, they "support" nothing—they present facts and "laws" and leave the world of values, and what we do about them, to you and me, as before.

There is continuity between the world of man and the world of nature, hence between the laws of physics and the laws of psychology. There is also discontinuity and distinction. Each is important; and the continuities, which since Darwin have had their field day, are endlessly fascinating and revealing. But they neither deny nor imply the denial of the discontinuities and differences: *the human distinction remains;* its freedom, its imaginative will-projection into improved social orders, its hold-for-dear-life on standards and absolutes that lie beyond the relativities of historical insertion. And if this differential detail—which occupies no room, and makes no stir in any psychological dynamometer —is rejected, with it disappears the only thing that makes any scientific enquiry important, or any civilization possible.

It is for this reason that the word "science," so noble in its origins and its contributions to human advance, becomes a disturbing word when applied to the human area. The "sciences of man," psychology and sociology, are necessary; they are also the ambiguous and at times the dangerous

sciences. They are sources of the greatest enlightenment about ourselves, and also of the greatest confusion and disfigurement. In brief, their educational value is conditional; and the condition lies in their philosophy. Without an understanding on this point it is impossible—and it should have been impossible for our Occupation—to underwrite an unconditional prescription of "social sciences" as a support to "democratic citizenship."

I have, then, to put down as one of our learnabilia:

III. The value of social sciences for the interpretation of democracy or the promotion of any social norm is conditional: the more such a science is purely "scientific" in its method, on the model of the natural sciences, the more it may destroy through the implications of its method the basis of those values it may be supposed to sustain through empirical induction. As pure science, of course, it can have no value-corollaries whatever.

There was another reason for the German disinclination toward more social science, a reason more felt than defined but going to the root of the conception of social science. It was, in effect, that the empiricism professed by the science is, for the most part, something short of the real article.

It is likely to be a *scholastic empiricism,* subdividing the immense field under appropriate categories, logically related to each other, and planning "research" on the basis of the distinctions of fact and problem thus rationally laid out. There is another sort of empiricism, more guided by the realities it is dealing with. It is a *working empiricism,* acting on social facts and thinking while it acts: it discovers the relationship of problems through finding in practice that one cannot be solved without tackling another: you cannot, for example, relieve the poverty in a backward area, coming

from low productivity—laziness, let us say—without doing something about health and sanitation. Laziness looks like a moral issue, and probably is; but physiology also has a word to say, a co-operation significant for social theory.

Now this working empiricism, not usually inspired by pure science, has had a remarkable career since World War I. James Y. C. Yen's experiments in mass education, first in France and then in China, gave a notable impulse to literacy movements, and also to "rural reconstruction" in widely scattered regions. What "Jimmy" Yen was discovering, through intense field-work and thinking—much thinking done on donkey-back in slow treks from village to village—was that four enemies of social health commonly work together: ignorance, disease, poverty, moral irresponsibility. This irresponsibility meant low-grade citizenship, absence of wider loyalties, a squeezed social horizon for which "democracy" is inconceivable. These four evils, he saw, constitute a vicious circle, each supporting the other. And precisely the same four show their heads in India, the Near East, Cuba—every land on earth where there is still a static peasantry. They have to be attacked together, though there is one necessary point of beginning, a spark of hope in the morale of the group.

Through this working empiricism one learns nothing that is not obvious, once you think of it: it is an instance of our thesis that we are likely to reach the self-evident through experience. It contains no novelties whatever for scholastic social science. But it has two great advantages: (1) it is not lost in an infinite grab-bag of "phenomena"—it is surveyable, for purpose defines relevance; and relevance means limitation; and (2) it assumes from the start that freedom, purpose, passion, metaphysical outlook, hope—all "subjective stuff"—are the medium in which every social enterprise has to float. If a scholastic social science proposes to get on

without these things, *it*, this working empiricism, will get on without social science. And so will I, and so will any man who sees the issue, including, I judge, German scholars who hesitated on social science. Pragmatic in approach, working empiricism ends in demand for a non-pragmatic relation to reality, as a condition of any social health whatever.

Now this working empiricism—its laboratory being the wide world—cannot be brought into the academies at all; and its "research" is open, not to the professor, but only to those who care for mankind and who know in their own persons the meaning of day-labor for a day's wage in field or factory (among whom I am proud to be included). But it can and should serve as a constant source of criticism, selection, proportioning for the scholastic empiricism of the academy. What we have to learn from it is:

IV. A genuine social science can arise only from immersion in the material, allowing social realities to show their own logic (in the sense first suggested by Hegel): the trouble with current social science, empirical in a scholastic sense, is that it is not empirical enough, and therefore remains external to its own essential motivation.

I conclude that the hesitation of German educators to adopt *tout court* our social science proposals was well justified, and we in America would do well to profit by their reasons.

It goes without saying that no university today dare neglect the sources of information made available by the immense labor of social scientists. And Germany generally speaking has not only utilized them but has effectively added to them under various names, such as *Kulturgeschichte*. Traditional history as a source of social wisdom is in need

of this supplement. But the supplement is not to supplant the history—a history not clipped and epitomized, but with its full enzyme of feeling, of callings and duties, of dream and tragedy, of religion, saga, myth, without which, as MacIver has well insisted, there can be no virile community existence.

And with this source, Germany was especially disposed and placed to appreciate the development through European literature of that *philosophy of history,* beginning perhaps with Augustine, which is, as we were saying, a sociology in embryo;—a development full of fantastic hypotheses, each of which is an instructive experiment in social thinking. The German student had before him in his own tongue the flowering stages of these reflections on a possible total sense of history, from Lessing and Herder, through Kant, to Hegel and Marx [8]—at which period the social sciences begin independent housekeeping, with vigorous support from the German side.[9] With these resources, the German student had an introduction to social studies more substantial, in my view, than that of the British student who might end his reflections with Mill and Hobhouse, or the American student nourished on the latest texts and compendia of the social sciences, lighted only by digests of history, well processed and, above all, packed!

8. I owe to Professor Richard Hocking, of Emory University, the observation that German students, knowing Kant and Hegel, were equipped to see the essence and fallacy of Marxism, as English students with an anti-Kantian bias fostered by the empirical spirit were less able to do. The Kantian factor gave them the needed principle of criticism. Richard Hocking's student days in Berlin, 1933–1934, coincided with Hitler's first year as Chancellor, during which university life in the metropolis retained much of its traditional *Lehrfreiheit.*

9. One thinks of the essays of Max Weber, Schmoller, Roscher, also of Tönnies, Schaeffle, Bluntschli, and the related work, often disguised as philosophy, of Simmel, Dilthey, Rickert, Vierkandt, Scheler (or is "sociology" philosophy disguised as a science?).

XVII

The Ideal of Paucity: Essentials of General Education

For the curricula of German schools we had other recommendations of change than that of the social sciences. For example, a widened study of other nations, greater attention to modern languages "without prejudice to any." [1] We had other comments to make in the interest of a liberal political future, such as noting extreme specialization in the universities, the dominant lecture system with its barriers of solemn form between professor and student, meager provision for the social life of students, and a certain gauntness in the total scope of instruction.

In several of these respects the German picture reflected and reflects a limitation not in the German idea but in the available German budget. A house for student activities has recently been built and dedicated at the University of Frankfurt, aided by the lively interest of High Commissioner and Mrs. McCloy. The relations between professor and student are, I suspect, easier now than in former days: though, in view of my own memories of conversation and warm hospitality I can hardly believe that they have been over-stiff during the present century. There are certainly formalities

1. This latter recommendation has a startling ring, not alone because of its formidable implications, but also because it comes from a nation less proficient in languages than almost any other Western community.

of the classroom, not so much "barriers" as part of the ritual of taking learning seriously, a symbol of respect not more for the professor's office than for the student's own occupation, to which the professor—equally expected to be formal—is under engagement to minister. This bit of formality never seemed to inhibit such demonstrations of feeling as the German students felt collectively moved to make. Only at one point—when it fell to my lot to occupy the professor's chair—did this simple ritual appear a hindrance. It was generally difficult to persuade a German or Dutch student audience to interrupt the speaker with questions, or to stay after lecture for informal discussion at the desk. For these marginal, and certainly valuable, bits of give-and-take, the students, as I shall shortly explain, had an equivalent, perhaps a better equivalent.

As for that certain gauntness in the scope of instruction, however—a contrast which becomes striking when one compares the list of lecture offerings in a German university with the bulging catalogue of "courses" of a relatively modest American university such as Harvard—here we encounter a problem far less easy to dispose of. Everywhere, the university is obliged to represent in its offerings the swelling cyclopaedia of human knowledge. At the same time, there is a necessity for surveyableness, selection—an *ideal of paucity*. The words "growth," "enlargement," "diversification," "comprehensiveness" represent inescapable educational goods. The words "unity," "intelligibility," "simple orientation" represent goods of an opposite sense, equally necessary. The dilemma is genuine. And it is by no means the merely quantitative matter it seems to be: it involves the entire conception of higher education, its rôle in a democratic community, the extent, quality, outlook of the student body. It is precisely our German experience which calls on us to look at this issue on both sides.

The Growth of Knowledge and Its Organism

The growth of human knowledge has a partial analogy with the growth of a tree: in each case there is a trunk, a set of main branches, minor branches, twigs. Trees have a normal limit of growth; if they far exceed that limit, something breaks down in the organic balance. Does human knowledge also have a normal limit of growth? It is hard to see how knowledge could deliberately stop growing. And if there is no limit, is there any organic balance that tends to be broken down?

The answer is Yes: there is a critical point in the expansion of knowledge due to the fact that the totality of knowledge, which has long outpassed the capacity of individual minds, can only continue to grow through the activity of individual minds. And these individual minds can continue to add to knowledge only if they know what it is they are adding to—which, as we have just said, is in some sense impossible. The situation deserves a second glance.

No man lives solely on the stock of his own knowledge; he has a wide vicarious knowledge through the circumstance that his neighbor's knowledge is normally at his disposal: the potential knowledge of each group member is the algebraic sum of the knowledges of all members of his conversing group.[2] With further extension, by aid of records and indexes, a scientific association may place at the disposal of each member an immense potential volume of science: the majestic entity we call "Science" is in no man's head, and is yet in this indirect sense at every man's command. (This totality, as Vannevar Bush has pointed out, cannot be infinite, for indexing techniques already feel the approach of a limit: but for the moment let us forget this

2. *Man and the State,* p. 243*n.*

shadow.) Yet the individual scientific worker, operating at a twig-tip, tends to be increasingly alone; whereas the whole meaning of his work lies in the "contribution" he feels himself making to the total corpus of knowledge, which increasingly escapes not merely his grasp but his imagination. His fertility, his happiness, his sense of his own significance depends on knowing steadily *where he is*. And without being technically engaged in research, every man who thinks, every student, is in a similar position: he can know but a vanishing fraction of all truth; but he may still find his fraction significant if only he can at all times *know where he is*.

And in order that each worker, and each student, may at all times know where he is, that scheme of trunk and branches which is the anatomy of the particular university must be not alone intelligible but *immediately perceptible*. The main scheme of branching, whose architecture changes from century to century far more slowly than that of the minor branches and twig-tips, must with all its growing complexity have a certain integrity of pattern. When, under one of a dozen faculties or schools, the index of "departments" reaches page proportions, and the list of "courses" passes the thousand mark, with a painfully democratic assumption that all departments and nearly all courses are created equal, the mind's attempt to recognize a unifying *Gestalt* is baffled. What should be intuitive becomes one more intricate puzzle, and the student attempting to break his way into the labyrinth requires a battery of "deans" to guide him. When this happens, the university, in pursuit of the necessary ideal of fullness, has lost sight of the even more imperative ideal of surveyableness. A prayer for saving paucity must be put up.

I say "imperative"; for while the university teaches, hour by hour, in lecture and laboratory, it teaches continuously by

what it is—by the picture of the *universum* of learning which it holds before the eye and mind of every student.

No one can doubt that the Continental university has, on the whole, remained true to this ideal of surveyableness as the American university has not. Some of the circumstantial reasons are clear enough: the American university suffers from a type of good fortune—it is borne all but passively along by every year's sporadic financial gifts (with a very modest central control), founding this or that laboratory, library, museum, institute, school . . . toward a formless infinitude for which the Greeks had a good name, τό ἄπειρον. The Continental university retains its intelligible structure partly by relative freedom from this type of accretion, but partly also by its firm inner sense of that unity of culture which, at all times, must hold a difficult ascendency over its diversification. Let me for the moment put aside all questions of causes and cures, and attend solely to educational consequences, speaking first of the influence of this structure on *student maturity*.

Paucity as a Factor of Student Maturity

We think of maturity as a quality that comes almost automatically with the passage of years, like the inevitable "coming of age." As I ponder the impression of relative maturity in European as compared with American university students, I am convinced that it is not a matter of timetable, of the additional two years spent by the European in Gymnasium or lycée before entering the university. Nor is it a matter of the constant pressure of an ancient and intricate European environment on the growing person, of being drenched in the saddening brine of an aging civilization with narrowing outlooks for a liberal living. The maturity I felt in the German companions of my student days

was chiefly a sense of proportion, a swift perception of the bearing of idea on idea, so that the apparently random buzzing of these students from flower to flower in the university garden was in fact not at all random in effect, but building-out a way of judging which already had its structural design. The judgments which emerged appeared not casual but well-founded, as if they derived from a world-view already coherent, without being rigid; and they continued to develop by a spontaneous, almost effortless, activity of thought. As I came half a century later to deal intimately with other European students in a quite different setting, but with the same satisfactory atmosphere of well-founded thinking, I became convinced that much of this proportionality and having-one's-bearings is due to the structural simplicity of the university corpus of learning as a continuing, and continually active, environment, its firm emphasis on a few things as essential, its vigorous capacity to omit. American university offerings, far wider in range, were suited to develop high intelligence (well-informedness) about partial aspects of knowledge; they failed in evoking that more radical intelligence, the instant perception of the *place of a part in a whole*—and after all, is not the *meaning* of a part due to its place in a whole, so that not to perceive that place is to miss the meaning? In truth, for the American student there frequently *was no whole,* only a mounting aggregate of items of knowledge. We have this to learn:

I. There can be no substitute whatever, in the building of a mature mind, for the continuing sense of a totality of knowledge (truth, science) with an organic structure of its own, as a factor in the meaning of every item of knowledge: apart from that sense of wholeness all acquisition of fact is "accretion of the insignificant." [3]

3. The phrase is one of John Boyle O'Reilly's.

In my earlier days in Germany, as student and outlander, I had little awareness of the university structure: the university was to me chiefly a nest of powerful individual teachers. Its main official documents were the *Vorlesungsverzeichnisse* and the record-book in which professors inscribed their names, indicating that student X had begun and had ended the course with presumable attendance between those dates. It was my residence at Leiden that first opened my eyes to the shape of the typical Continental university with its four or five traditional faculties devoted to professional studies. The prior years of study, typically in Gymnasium, and covering in terms of age two years of the program of our colleges, gave the historical, linguistic, and much of the philosophical background of European civilization.

We must take these later Gymnasium years into the university picture, partly because their contents if imposed on the university would immensely clutter its program (as they do clutter the programs of our colleges), but chiefly because they lay the basis for the simple unity of the university structure. It is here that the German student finds the outline of what we are now inclined to call "general education"—a phrase which confesses our need for paucity through a vision of essentials. These essentials include an initiation into something called "philosophy," which—however you may define it—is a powerful agent in educational economy, and on this account deserves a parenthetical paragraph at this point.

Philosophy as Educational Economy

One reason for the multiplication of subjects of study in American institutions is our tendency to split knowledge into "departments" and to assume democratically that for purposes of scholastic achievement there is among departments

a broad but substantial equivalence. A moment's glance suffices to assure us that this assumption is folly. Several departments, by their definition, include phases of nearly everything. History, for example, must take into account every human interest, including philosophy and theology, economics and law. Literature, including history, includes them all—literature being, in the admirable phrase of Ernst Curtius, "the great intellectual and spiritual tradition of Western culture as given form in language." [4] Philosophy, including the philosophy of history, includes them all, and via history includes everything twice! A curriculum that contains these three departments is thus replete with duplication: the entire corpus of human culture could be entered by any one of a half dozen "departmental" gates, including psychology and sociology!

But there is one of these topics for which such conspectus is the main business. Philosophy is a subject whose speciality is generality: its task is to reach principles of judgment, the unifying generalities, applicable to all cultural interests, including with ethics and politics the natural sciences, art, education, religion. . . . When growing minds, beginning to be oppressed within the maze of "branches of knowledge," sense the need for a uniting pattern they cannot but gravitate toward a discipline whose main business is integration.

And since "general education" is but another name for those few essentials of culture whose structure and meaning are thus brought into intelligible unity, philosophy furnishes the natural key to that economy in the educational feast for which we have used the somewhat maladroit term "paucity." German education has by a true instinct commonly given philosophy an early opportunity to exercise this function; and the German student by his own bent has commonly

4. Foreword to *European Literature and the Latin Middle Ages* (Phaidon, 1953), p. x.

found it—not alien, wordy, and remote—but speaking to his own personal problem of survey. Is there here perhaps something we might learn, to this effect:

II. GENERAL EDUCATION, SO FAR AS IT IS A QUEST FOR THE UNITY OF CULTURE, IS ANOTHER NAME FOR PHILOSOPHY. *Philosophy is certainly not the whole of what it unifies: it is a part of culture which, if it does its work well, reveals the organizing spirit of the whole. But given that spirit, the various members of the organism of culture tend to assemble themselves within its sphere of influence, and* WITH A LARGE ECONOMY OF EDUCATIONAL OVERSIGHT. PHILOSOPHY, *we may say,* MAKES PAUCITY POSSIBLE.

Given his philosophical bent, the German student usually sought and found the completion of his general education without external prodding, and without any specific *studium generale*. In Heidelberg, for example, where in 1903 Kuno Fischer was giving public lectures on Schopenhauer, the great Aula was filled with students, with a sprinkling of visitors from the public. It was a rare Heidelberger student who failed to hear Fischer occasionally, to know what he stood for, and to retail half a dozen yarns then current about him. And this habit, I am inclined to think, while not universal, was general among the German students of that day. Aided by the surveyable university structure and his spontaneous immersion in philosophy, the student freely won for himself a certain wholeness of outlook in the wide domain of arts and sciences.

And because of this, he could give himself wholeheartedly in the university to his professional preparation *without losing his bearings*. This capacity is a definition of mental maturity.

Student Maturity as a Factor of Paucity

If paucity is a factor in student maturity, maturity in turn promotes the cause of paucity: the relation is circular. For what the university must offer will depend on how much can be achieved by the free play of the enquiring mind. And surely, one of the objects of education is to develop the disposition and the capacity for self-education, i.e., to make institutional education unnecessary, or to reduce it to a minimum.

The American scheme, aiming to bring the greatest quantity of informedness to the greatest number, tends to "offer courses" on an incredible number of topics, assuming at the same time an incredible incapacity of the student to find his own way to the sources. The German plan encouraged the professor-scholar to speak directly from his most recent research, to take it for granted that the student had completed introductory stages of study, and to take lightly—often too lightly—the arts of exposition. This threw a heavy burden on the neophyte student. At the same time it relieved the university, refusing the rôle of caterer or nurse, of much expense on account of the elementary instruction that swells American catalogues and the attendant system of multiple "tests," examinations, advisorships, deanships, rescue-work for the halt and blind. In Germany, many students suffered and sank. On one occasion in my memory there was something like a student rebellion: Dr. Max Abrahams of Goettingen, docent in the mathematical theory of electrical physics, muttered too indistinctly to the blackboard while scrawling crucial equations illegibly in front of his face: his class drew up a polite petition for his attention to human limitations,—a request formally acknowledged, and then ignored in practice. The ordeal was severe; the fittest sur-

vived. And many of the less fit, coming through with much travail, gained a decent respect for the conditions of genuine excellence, an important bit of wisdom which the spoon-fed are in danger of missing.

For the very deficit of step-by-step explanation tended to elicit a capacity for self-help on the part of those not too far below the assumed level. By speaking from the plane of research the German university *drew the student's mind upward.* And with a degree of the student's good will, which textbook instruction can seldom achieve; for he felt himself in the presence, not of man-rigged obstacles, but of the intrinsic toughness of the subject.

I am not implying that the German student was or is steadily on tip-toe mental tension: he has always had his special ways of *détente* well-known to rumor—the *Studentencorps,* the hours in the *Kneipe,* the *Pauken,* the *Sängervereine*—and as everywhere the demands of such student organizations as exist tend to drain the margins and more than the margins of student vitality. The nation's tragedy has plowed deep furrows through these customs and the ancient *Studentenfreiheit;* some of them survive. The university itself stands toward these things as an Olympus, touches student discipline with a light hand. And perhaps by this further assuming of a maturity a stage beyond the fact, it achieves, beneath all the *"alte Burschenherrlichkeit,"* a pervasive undercurrent of serious concern and respect for that academic sort of judgment which waits unmoved for the student's final self-declared readiness for examination. Thus, not alone through its surveyable structure, and the strong selectiveness of its relatively meager course-offering, but also through its reticence toward student affairs, it exercises a powerful lift toward maturity and competence.

And this achievement, in turn, tends to sustain and to

justify that reticence, and that paucity. Thus we may summarize:

III. The ideal of paucity is an ideal of educational power, eliciting power in the student by what the university does NOT *do. And the elicited power and maturity tend, in turn, to strengthen and extend the policy of paucity.*

Limits and Conditions of the Ideal of Paucity

Paucity as an ideal—especially with a circular process of this kind—might suggest as its perfect goal a zero: the perfection of paucity in teaching would seem to be realized in no teaching at all. One need not wholly shrink from this suggestion in view of the fact that a zero of teaching is occasionally reached—i.e., in the case of the self-taught minds of extraordinary power; or in view of the actual goal of many a good teacher (and every good parent) to make himself as teacher superfluous. But paucity as we mean it aims not at zero, but at a minimum, for a definite purpose. It is like the theory that the state governs best that governs least; least government is still government, not the anarchist heaven of no government. Or it is like the ideal of brevity as the soul of wit, or as a grace of literary expression: [5] neither the one nor the other is perfected in saying nothing. Lao Tze, it is true, held that "the wise man conveys by silence his instruction"; but in uttering this maxim, he discarded it. The ideal of paucity simply points out what is fairly obvious—that the maximum of teaching is seldom the best teaching; that teaching *for power* is inconsistent with muchness; that if

5. On which Professor Ernst Robert Curtius has written so luminously in his "Excursuses" under the title "Brevity as an Ideal of Style." *European Literature and the Latin Middle Ages,* pp. 487 ff.

existing student power is to be brought to *its* maximum, props must be minimized and a rigorous economy be held over the scope and complexity of instruction.

Paucity has significance, therefore, only under two conditions: (1) that there is a given student community whose level of power can be heightened; and (2) that the essentials (the minima) of a general education are known and are available.

Each of these conditions calls for a word of comment.

—As to the given student community:

Here, the relations between the academic supply and the student demand are in sharp contrast with those of the economic market. The more lively the student demand, i.e., the vigor of enquiry, the less voluminous the academic supply need be. The weaker the student demand, the greater the needed volume of supply. And, of course, we can hardly assume an equal hunger for learning throughout any given student body. If there were a nation (if pressed, I might mention one) in which for every five eager and self-directing college students there were fifteen non-eager, the academic supply would have to be doubled; for half the time and labor of the instructor would be consumed in making the non-eager majority aware of the problems for which, then, solutions might be proposed.

Under such conditions, the academic menu tends to broaden itself in order to meet a wide variety, not of needs but of tastes: to meet every taste in a large student body, under an "elective system," it must be broad indeed—never quite broad enough to meet the calls of those who, finding the central disciplines of a true general education arduous, seek what are called "equivalents" in more congenial pastures. Eventually such a system tends to break down because what the weaker students thus choose cannot long pass as an education. It is then that responsible educators begin to reflect

seriously on what a "general education" is,[6] and incline to insert it into the program of studies as an addition, i.e., as one complication the more. As a rule, this way of introducing general education as a remedy is a mistake, and for the following reason:

IV. GENERAL EDUCATION CANNOT BE SOMETHING ADDED: IT SHOULD BE INHERENT IN THE PROGRAM OF STUDY PRIOR TO THE UNIVERSITY WORK PROPER. *Its place is not that of a separate statute or ordinance, but that of a constitutional law of the student's whole course of training.*

Under the hard conditions of post-war Europe, with broken programs of study for thousands of students, there was often occasion to propose a *studium generale* as supplement for the professional studies necessarily occupying the center of attention. It was not we but the British who proposed this for the German universities in their zone, remarking at the same time that it might be a good thing in England also. But this exceptional situation emphasizes a second comment in regard to the nature of the student community, namely:

V. The place and mode of general education will vary not alone with the local and national temper of student bodies, but with the entire set-up of existing educational institutions.

Let me illustrate this point from student communities in other European lands, first from England:

6. Studies and experiments in this interest have been numerous in American institutions since the revision of 1931 at Chicago: Harvard in 1945, Columbia in 1946, Princeton in 1947, and now, most fundamentally, Yale in the report of its Committee on General Education (October, 1953) above referred to (p. 259).

If I were called on to pick from my acquaintance one individual as an eminently well-educated man, I might light on Professor Alfred Whitehead, who did his university work at Cambridge. What was his curriculum? Mathematics,—nothing else. Appalling, is it not? Where, then, did he get it,—his immediate sense of what goes to make up our civilization, his command of strands of meaning in history, his wide human wisdom, so far as these qualities can be referred to education? We should certainly have to consider his home, his own purposeful reading, his absorption in Plato, his public schooling; but there was also something at Cambridge. One day, at lunch, I pressed the question: "There must have been something besides mathematics?" "Yes," said Whitehead, "there *was* something else: it was 'The Apostles.'" The Apostles, he explained, was a club of twelve members, meeting in members' rooms Saturday evenings from ten onwards; membership and all proceedings strictly secret; papers read and discussed—topics from the wide world, present and past. Candor complete. Themes were opened there on which he had never ceased to reflect. In such association, educational possibilities exist not contained in any official university exercise, nor yet in any Oxford Forum.

And while the resident colleges of English universities have their own genius in this respect, such self-deepening and self-broadening groups occur wherever the hunger for truth is alive, and young men establish friendly societies in that interest. During his student days in Italy, Gaetano Salvemini found himself in a group of four men from whom he learned "in matter of principle more than from all his studies," and from whom his life received a lasting bent.

In Leiden I learned of two other ways in which the interests of general education were provided for, apart from a

new and special order of studies under the title of *Studium generale.*[7]

The Leiden Faculty of Law receives as students five times as many persons, men and women, as intend to practice law. For that non-professional four fifths, law serves as a pattern-giving discipline helping to interpret the whole of European culture. This to me surprising circumstance speaks highly for the broad meaning which the Law Faculty is able to give to its instruction, and also for the substantial initiative of Dutch students. I know of no other country in which the natural function of law in general education is so well recognized: I shall refer to this function again.[8]

The other resource had the nature of a private enterprise on the part of students. I refer to what they call the *Dispuut* (suggesting an origin in the medieval *disputatio*). A *Dispuut* is a discussion group called together *ad hoc* with voluntary membership for pursuing further the themes of some particular lecture series or "*college.*" The members adopt a program of studies, write essays, consulting the lecturer and inviting him to be present and comment on their work. In my case, in view of my linguistic limitations, they wrote and read and discussed in English! This is the "better equivalent" I referred to above (p. 247) for the American after-

7. This *Studium generale,* evolving under skilled Faculty guidance, is aiming to widen the area of available studies within the professional faculties, not by supplying the central substance of which we have been speaking, but by providing topics open to election by students of all Faculties, and not leading to a degree.

8. Below, page 265. I should add that steps are being taken in this direction in England. In a Foreword to Edward Jenks' *The Book of English Law* (1929) Lord Atkin writes, "(This book) is a step toward the goal of securing the recognition of some teaching of law as a factor in a general liberal education. . . . It has always seemed to me inexcusable that law has ceased to play the part in higher education that it did in the days of Fortescue, and that Locke and Blackstone desired for it" (p. xvii).

lecture touch-and-go word with the professor. In the *Disputt* one finds at its best that spontaneous linking which lively students' minds strike out between specialized themes and the wider issues of our civilization.

In all these quite different situations, a relative paucity in the spread of higher studies justifies itself because of the high level of what we have called student demand,—meaning by that term the degree of intellectual hunger, initiative, and competence which can be assumed present in the given student community. And what is true in England, Holland, Italy, and elsewhere, is at least equally true in Germany. In the recently published memoirs of Ludwig Curtius we have a characteristic expression of the feeling with which a German student found himself mounting the steps of the university building toward its "geweihten Räumen," its "consecrated halls":

"Rerum cognoscere causas," zunächst keine andere Pflicht zu haben als die, mich der Aufgabe dieser Worte zu widmen, dieses Bewusstsein versetzte mich in eine Art glücklichen Rausches. Das Wissen als solches erschien mir als ein unermesslich herrliches Geschenk.[9]

"A happy intoxication . . . Knowledge as such seemed to me an immeasurably lordly gift. . . ."

And he adds, directly to our point, that he was not in the least disturbed by the fact that he was matriculating as a student of Jurisprudence, because, according to the Bavarian regulations of that time (about 1900) a student of law was required "für seine allgemeine Bildung," to hear eight lecture courses in the Philosophical Faculty! With such a

9. Ludwig Curtius, Deutsche und Antike Welt, Lebenserinnerungen. (Deutsche Verlags-Anstalt, Stuttgart, 1951.) Page 105.

student appetite, the university menu could limit itself to essentials.

I shall not raise the question whether you and I can fancy an entering Freshman in an American college overcome by a "happy intoxication" in the prospect of ample immersion in "knowledge-as-such": I believe in fact that our Freshmen are ready at heart for much meatier stuff than we give them credit for. But we must enquire whether we in America, with a far larger proportion of our population in our higher schools, and therefore with a far more heterogeneous student body, can hope to emulate that educational power of which paucity is an index.

That enquiry must engage us in our final chapter.

Meantime, we have to comment briefly on that second condition of paucity (page 258, above), namely, that the essentials of a general education are known and are available.

What are these essentials?

The substance of what each generation in its higher stages of education has to convey to the next generation is *an understanding of its own civilization,* as a distinctive way of achieving the best goods of life, within the universe as conceived by this given cultural community.

How, then, shall our civilization be understood?

By seeing what has made it what it is; by bringing it imaginatively to birth out of ourselves, and in so doing noting paths of possible improvement. We must re-see the visions of the builders, judge the degree of their successes, their partials of failure. It is *through history* that the task of understanding a civilization must always be approached.[10] But the history that is to contribute to this understanding must be more than a factual record,—it must be a history of

10. See above, p. 236.

long-time conscious and sub-conscious aims, or cumulative building better than builders knew, of passions, sacrifices, slow discoveries of the meaning of one's own purposes, the painful groping-in-the-dark toward clarity and certitude of principle. And more than this, the full task of historic understanding leads beyond the *fait accompli* and its emotional burden *to its criticism;* and *the logic of criticism,* leading to the dialectic of advance, lies in the heart of other disciplines than history.

This is the strength, and also the incompleteness, of the "threefold basis" of "the Western mentality" proposed by my friend the German law-student quoted above (pages 144–48)—"Classical antiquity, Christianity, and (for Germany) Germanentum," the national tradition. The history of these three ingredients would indeed include far more than the drives which incorporated themselves in Greek, Roman, Medieval, Modern institutions: it would include the philosophies which directed them and which, standing beyond actual achievements, criticized and still criticize them. Greek political thought saw farther than the city-state; Roman legal thought saw farther than Roman codes and legislation; Christian standards of social order saw beyond any medieval, any modern community-shaping, and still judge our results. When, viewing the First World War as a civil war within Christendom, N. N. Das Gupta at Sarnath, in November of 1932, said that "Christianity has failed; it has not brought peace and good will to men," he was right in his second clause, not clearly right in his first. "Christian nations" had failed; but Christianity in the field of international relations had not yet been tried. The motives which built the Western mentality still contain standards for the criticism of modern Europe: to this extent, the "threefold basis" is no outdated historical relict—it is valid also for the future. It has the great advantage over any social science

analysis [11] of the background of Western civilization known to me of bringing to the task of understanding the entire passion, moral depth and cosmic reach of the classical and Christian world-views.

But it is still incomplete.

It is incomplete, because it omits what I will call the *tough disciplines*—sciences of the struggle.

Every institution is a result of struggle, long continued, against nature's reluctance or human persistence or both; and every such struggle deposits not merely the *record* of its increments of success, but the *recipe,* the how-and-why of achievement. These recipes accumulate and condense, find their principles, show their heads eventually as systematic bodies of discovery-through-experience or—eliminating the historic accidents of arrival (which now the history of science seeks to recover)—as pure sciences. The chief of these are:

1. *mathematical physics,* embodying the struggle of man's mind with the silence of nature in regard to her laws;

2. *economics,* embodying the struggle of man with nature's obstinacy and caprice on one side, and on the other with the fellow human being's self-seeking in production, distribution, ownership;

3. *law,* embodying the struggle of man with man in the outlining of "rights,"—presumable claims of man on man within a community life, incorporating a balance of interests no doubt but also (and prior to the interests) an intangible called "justice," which it is all the more important to remember since so many keen heads have gone blind about it.

Now one beauty of these "tough disciplines" is that in each one there are general principles (buzzing close to the *a priori*), and in each a rootage in empirical circumstances

11. *The Harvard Report on General Education,* pages 196, 213 ff.

(the most theoretic phase of mathematical physics has to touch earth in a "crucial experiment"). The resulting discipline is therefore "positive" and not purely *a priori;* it is a marriage of the two: no system of law can be deduced from ethical common sense alone; and none can be understood without it. It is this *marvelous co-operation of the factual and the ideal* which has constituted the unique power of Western life; and this power can be appreciated only by way of a personal struggle with these tough disciplines themselves. (This is a reason for greeting the Dutch use of Law as a medium of general education with peculiar delight.) Without an initiation into all three of these tough disciplines, no one can today be well prepared to understand, still less auspiciously change, the world he lives in.

And with this requirement goes another.

Every institution is not only a result of struggle; it is a custom-sanctioned *settlement* (as the institution of "falling into line" is a custom-sanctioned settlement of the shoving-and-hauling contest at ticket windows, etc.). As a settlement, and not simply an equilibrium of opposing forces, it exhibits something entering the struggle from outside—an idea of order, of fitness, a glimpse of rational rule. There is no more abysmal stupidity in the world of thought than the notion that "class struggle" can by itself develop an economic order. Struggle itself, if it is a human struggle, implies an underlying agreement on how the struggle is to be settled. Those who dispute a debt must agree on the multiplication-and-addition tables by which the disputants compute debits and credits. Each discipline, therefore, embodying struggle, *assumes another discipline revealing the grounds of settlement implied in the struggle itself,* as agreed upon by the parties to the struggle (if both are human). These disciplines, standard-giving in character, unitive in effect, are:

1. logic and pure mathematics;
2. ethics and aesthetics;
3. metaphysics.

For every student of the tough disciplines, these unitive disciplines are evidently pre-supposed: must they also be included among the essentials of general education?

I should say definitely Yes: no man is prepared to understand his civilization who does not appreciate, with the fact of struggle, the necessary ingredient of reason which gives stability to settlements reached. It is true that men use these unitive principles without necessary awareness that they are doing so: most men reason logically most of the time without having studied logic, and few artists have patience with aesthetics as theory. Yet without reaching awareness of what one thus uses unaware, *one has not yet examined himself;* nor has he found within himself *the standards of criticism which unite him with his community,* and with all mankind. These three disciplines go by the collective name of philosophy, which we meet now in another essential rôle; and if it seems *risqué* to characterize as "unitive" a discipline so fertile in disagreement as philosophy had been, my answer is that struggle within philosophy, as elsewhere, must assume a common standard for settlement,—so that *flight from philosophy can only be to philosophy,* at a more central core of the subject—that factor of critical judgment which Kant attempted to single out, and which remains the ingredient of unity for all civilized living. Without philosophy in this residual sense, no general education worth the name is possible; and Germany, on the whole, has better appreciated this fact than any other modern nation.

If we consider "general education," then, as the minimal essential for understanding our civilization, and keeping one's bearings in the expanding universe of thought, my

judgment is that the foundations were better laid in Germany than in America; and that the needed completion—in terms of the tough disciplines, could be made available to all students without departing from the admirable gauntness of the usual curricula.

XVIII

American Education Revisited

In all that precedes we have had American education in mind: the scene has been Germany, the what-to-learn has been chiefly for us. Let us now revert to the American scene itself.

And in doing so, let us acknowledge at once that we have been taking a broad risk—that of comparing the incomparable. Europe and America are indeed parts of a single world of learning; their learned literatures and learned men are in continuous interplay; their main tasks of education are identical. Yet our American organization has features so singular —such as our four-year liberal-arts college—and our educational aims are so home-grown, that every attempt to draw a lesson from Europe, or from our European adventure, has to anticipate the warning, non-transferable! We must examine our apparent desiderata with American eyes.

Democracy in Higher Education

Especially, it seems to me, this ideal of paucity strikes us with a dubious accent. It has an undemocratic air. For paucity in academic offering can only exist with a high average capacity in the student body; and this suggests limitation in student numbers, whereas our drive, and our ideal, lie exactly in the opposite direction. We seek the greatest

amount of education for the greatest number. Our inclination is to agree with the United Nations Declaration that the right to an education is one of the fundamental human rights; we regard our public schools of elementary grade as only a partial fulfillment of this claim; we intend to make higher learning available to as many as want it and can use it. Does this mean everybody? We do not insist on this; we tend to think it means a majority. And it is not long since a Presidential Commission proposed that our higher institutions should plan to double the capacity of their plants within a few years.

We have, in fact, gone farther in this direction than any other nation. Per unit of population we have several times as many persons in college and university as has England; a Dutch physicist visiting Harvard in the summer of '47 spoke with admiration of the prospect that very soon one of every three adult Americans would have a baccalaureate degree—surely a marvelous foundation for democratic citizenship. We may be proud of this achievement.

And, of course, there is this further consideration: that while the institutions serve the student body, the student fees help to support the institutions—they never pay the full cost, but the institutions would wither away without them. There is thus a financial, as well as an educational motive for promoting student numbers, especially just now. Without the army of professors the vaster army of students could not be taught; and without the many army corps of students, the army of professors could not live. The interest in maintaining numbers becomes mutual. To speak of paucity is to attack a great national institution at a vulnerable point.

The practical entanglements run much deeper than this—the intertwining of graduate and undergraduate instruction, for example. The matter is serious. It is also serious if prac-

tical considerations begin to dictate educational policies. It is never untimely to enquire whether our ideal of the greatest education for the greatest number has been rightly understood by ourselves. That is what I am proposing now to do.

This ideal is a genuine aspect of the democratic outlook, a phase of the underlying postulate of human equality, if we take this postulate to imply not only equality in human rights but also an essential mental equivalence. This idea of mental equivalence is not too plausible at the first look, but it deserves—and, on this point of higher education for everybody, demands—a consideration.

Thomas Hobbes had his own wry support for the doctrine: mental equality is evidenced, he said, by the fact that "each man is content with his share"! I suggest that we get on without Hobbes' support, and also without the shaky evidence of I.Q. measurements. For human mentality is multidimensional: it is absurd to estimate mentalities on a linear scale (a fact which should qualify the import of examination percentages as well). The talent for ideas and abstractions, essential for high scholarship, is but one of many lines of mental power. Vigor of imagination, depth of feeling, of sympathy and love for men, sagacity in judging character, intuitive perception of the controlling factors of complex situations (a quality I do not find singled out by psychologists, but central in the genius of leadership), planning ability, eloquence itself as skilled communication of emotion, powers of loyalty and endurance—all of these and various other unmeasurable and unexaminable dimensions of the self go to make up human magnitude.

In view of this mere suggestion of the inner wealth of human quality, it should appear at once that *fitness for high scholarship is a specialty*. No doubt all of this inner wealth counts in the work of the scholar; for the whole man speaks

in all that the whole man does. But not all of it is directly relevant to the business of higher education. And it follows that not all men are equally destined for the higher schools. This destiny should be taken not as a peculiar glory, but as a simple factual differentiation. In sum:

Citizenship is a universal responsibility—all men must qualify: scholarship is not. Scholarship has its special demands which not all men fulfill, nor ought to fulfill, nor care to fulfill.

Our ideals are not derived from experience; but we have to learn through experience just what they mean. If in this case, as I suspect, our ideal of democracy has been wrongly interpreted, experience will show the error. Experience shows that with adolescence there is a rapid differentiation of taste as between active and theoretical interests. Biological pressures toward full adult functioning, in some minds sublimated or suspended in the zest for ideas, in others invade and disrupt the steady balance of a habit of thought. Youth of the latter type begin to find a day's program made up largely of "study" peculiarly irksome. The student who ought not to be a student begins to complain that the school ought to be more occupied with something called "Life": he wants to learn by doing; this is a symptom suggesting that he should be somewhere else. With no connotation of inferiority, but rather out of respect for his own type of mental power (and for the other type as well) he should move on.

Characteristic signals of this malaise, readily traceable to these biological pressures, are an over-development of athletic or social or sexual interest, impatience for political action or for early engagement in business or professional studies. No normal student will fail to feel these tugs: the question is solely whether they dominate the tugs for which schools exist; and for the school, whether they dominate the

student body. If they do so dominate (a not uncommon situation, which our schools and colleges must have the candor to face) [1] it may be due in part to an earlier education that has sapped normal intellectual vitality; it may be due to lack of vitamins in the school's mental menu; it may be due to a radical error in our policy of maximizing numbers.

Can it be that we have misunderstood the meaning of democracy at this point? The occasion calls for some plain speaking.

The truth is that in the strict sense of "a right,"

I. a. There is and can be no such thing as "a right to an education."

For there can be no education, not even the most elementary, without the living response and co-operation of the subject. No person and no community can unilaterally give anyone "an education." When education is conceived as a commodity, to be claimed at the hands of a benevolent and endlessly resourceful community, to be handed over and passively received, the very sense of education is outraged and degraded.

There *is* a human right in the educational field, a right universal and fundamental, addressed to the society into which one is born. It is the right to such available opportunities, equipments, aids, and open doors as one's own mental demand qualifies him to use, and drives him to take the trouble of using. Let us put it this way:

1. The report of the Yale Committee on General Education, now under discussion, is outstanding for this type of candor, and will do American education a corresponding service, for the condition is by no means a Yale specialty. The nub of the trouble will not be touched, however, until as serious attention is given to this question of numbers as to the other factors of the disease.

I. b. Every person has a right to such David's sling as his society can provide, his own task calls for, and his own powers and good will fit him to use. And he will probably have a hand in making the sling himself.

As a corollary, if a person has no mental demand, or no initiative in doing his part to satisfy it, he has no claim of right, and could by no possibility "get" or "be given" an education.

And as another corollary, the pertinent "examination for admission" for such opportunities and equipments is not "How much do you now know? how much have you crammed up on?" but "What do you want to know? and why?" And if you have no questions in mind, brother, there is little that we can do for you in college or university. You may listen to the radio while you "study"; you may take your books and sip sodas and "study" with an attractive co-ed, why not; and your education will be at the same time a diseducation, a training in passivity, parasitism, and pretense. And for us, your presence will be an added whiff of smoke in that atmosphere of murky levity which already curses what we consider the sacred cause of learning.

I speak severely, as must be done. I speak in the democratic faith that every man has a right and a duty to be a whole man; and with the further faith which Christianity shares with Confucianism that Heaven has for every man a task different from that of every other man, and that he has the rights necessary for the discovery of that task and its fulfillment. But I speak also with a deep respect for scholarship and its difficult conditions, and with a consequent horror of the sham involved in degree-granting *en masse* by American collegiate institutions, as if in a democracy every person has a right not only to the facilities of study but to the certificate of being "an educated man." No

American institution will avow such a faith. But where is the institution that is willing to flunk fifty per cent of its graduating class? Until this is possible, the standards will meet the students half way; and little by little "college education" of the people will become education *by the people,* in the sense that it is they that will determine how much and what cultivation they can and will comfortably take. We have not reached that point; we are only drifting that way. Could we in some way reverse the current by inserting into our system a genuine democracy, *the democracy of identical standard?* We do not, in our athletic contests, trim the length of the mile to the convenience of the runners: the democracy of the race does not consist in the assumption that everybody must get a prize; it consists in the identity of the spacing and timing for all entrants. This is what democracy must mean in higher education; and to retain this integrity, there must be losers, and a thinning out of the mass trend to the colleges.

There is still a possibility, in America, for the ideal of paucity, in the spirit of Goethe's saying: *"In der Beschränkung zeigt sich erst der Meister"*—genuine mastery can show itself only in limitation—a principle valid for institutions as well as for men.

But how, in America, could we proceed toward limitation? By making our program to fit the fit, not the unfit.

Not every man, we say, is called to the scholarly career; but all are called to citizenship. And as we have defined a "general education," it is precisely an equipment for citizenship, as aiming toward an understanding of our civilization through seeing what has made it, and with an eye to its improvement. A general education in this sense should be of very general use.

Its ingredients, we thought, are first a grasp of history

which will show the roots of our institutions not alone in geography, war, economy, and political invention, but also in myth, religion, ethos, poetry, and passion; then philosophy; then the three tough disciplines. The foundations for all these ingredients must be laid in the later preparatory years (as every genuine teacher knows, philosophy is a deep interest of late adolescence). If then the continuance of these five interests to the point of insight-into-principle were made the central business of the early college years, we might well encourage everyone who cares to master the fundamentals of mathematical physics, economics, and law, and is able to do it, to carry on. This will probably not mean everybody.

Such a kernel program would not exclude a wide range of other subjects; what it would exclude is the substitution of other subjects as "equivalents." There are no equivalents.

But there is one other tough discipline which ought to accompany these five general studies. Every student should undertake—I do not say the study but the actual practice of one fine art. For no one can know the spirit of a civilization who evades the arts, or merely visits museums and listens to lectures on "art appreciation." To know civilization is to touch the secret of the universal power of beauty; and it is only the attempt to serve beauty by recreating it that can reveal this secret. Such a service carries with it an unsparing comment on the character of the artist, and this contains the deepest revelation of the self-knowledge which is part of his quest as a man. But the service of art must be a free service and an individual service: the story of one's wrestle with beauty can never be made a common compendium or directive. It shares with the other tough disciplines the feature that there is no substitute, no equivalent for a fine art, though among the fine arts, every man must find his own.

With such a program, a new severity would enter the educational outlook early in the pre-college years; and if we could resist the temptation to mitigate that severity in later studies by padding our programs with false "equivalents," a new clarity might enter the meaning of our work, and with it a more genuine democracy.

II. Democracy in education is not promoted by concealing the actual and normal differentiation of mental powers, whether through artificial systems of equivalence or otherwise. There is a wide range of legitimate election. There is no equivalent for any one of the five (or six) elements of a general education.

If a false conception of democracy in higher studies evades this principle, the way is paved for slow cultural degeneracy.[2]

If this type of consideration is allowed full scope it ends in the query, why put a fence around the college yard? If we are animated, as the Harvard Report tends to be, chiefly by the distrust of "overworked dichotomies," we end in indiscriminacy, and the college ceases to have a definable

2. One cannot escape a certain distrust of any differentiated human ideal, including the ideal of the scholar. For the scholar surely needs the non-scholar as part of his own liberal education. If "general education" were to mean simply broadening, and feeling one's way intuitively into an elastic amplitude of sympathy on the *nihil humani* pattern, the college population might do well to remain what it now tends to be, a fair sample of all mankind. On this ground, one lends a kindly ear to Professor S. E. Morison's plea for the continuance—at least at Harvard —of the Renaissance concept of the college as "a microcosm of the world in which we live," a mingling of would-be-gentlemen and would-be-scholars to produce a compromise figure, since in such a society gentlemen always risk becoming scholarly and scholars are in danger of becoming gentlemen. At any rate, "serious scholars and frivolous wasters" meet and rub off each other's angularities, and neither kind should be able to exclude the other. (Harvard Report on General Education, p. 243 f.) If, I say, this is the true ideal.

function in society. If we decline to allow the college a specific obligation toward Veritas, the gentleman, defined as the person superior to every conviction, wins the day, and the scholar may be dismissed as the wise-dupe who takes truth too seriously. In this case, America might better retire from pretense of leadership in the field of higher education in favor of a nation for which "knowledge as such" still has a charm.

Do We Understand Democracy?

Our attempt to apply the ideal of the greatest education for the greatest number to the field of higher education, involved, we have said, a misconception of what democracy requires. This does not imply that the ideal itself is mistaken. On the contrary, it is essentially valid and of the highest importance; and further, it is swiftly finding its proper fields of application. Again, we are learning through experience what democracy does require.

That mistaken attempt was part of a magnificent resolve to plow across threatening class-distinctions. There was a time when ability to read and write was a distinction; we have done away with that distinction by making almost everybody literate, and thereby we have immensely advanced the possibility of a working democracy. It was natural to assume that getting rid of the distinction of the "college degree" would be a further step in the same direction. In fact, whatever distinction there was in that degree is beginning to vanish; and if it should disappear entirely, through everybody having a degree, it would lose one of its attractions, and the demand for it would surely be far less than unanimous. The success of our project might kill the project!

But meantime, a more legitimate embodiment of the ideal

is arriving. First, through the wide growth of highly competent technical schools and agricultural colleges, in which the interests of general education are now being effectively considered.[3] And again, through increasing provision for adult education, in which the same interests are provided for, recognizing the simple biological fact that in many persons these general interests wake up in after-college years. In these and other ways, a nation-wide fraternity of reflectively considered citizenship is being sketched out *over wide differences of occupation.* And just because of those differences, the coming fraternity of understanding promises to be far wealthier, far more important for the unity of the nation, than a fraternity based solely on similarity of higher studies could possibly be.

This experience raises a question which goes to the heart of our whole educational program in America, and at the same time throws much light on the weakness of our efforts in Germany in behalf of democracy. Let me put the question thus:

III. Did we, in fact, in trying to convey democracy, realize our own problem? Or, more bluntly, do we, in fact, understand, or believe in, or practice democracy?

The load we were called on to lift for young Germany was a load of thought and faith: we could lift it only if we our-

3. Many of our "state colleges of agriculture and the mechanic arts" are doing exceptionally good work in providing a background of general education, to meet the human need of their students in their own highly specialized occupational concerns. The State College at Ames, Iowa, has pioneered in this respect. As far back as 1894–5 (my dates there) the professor of mathematics, Professor Stanton, was also professor of economics and economic history, and in his own person a teacher of ethics; while the president taught philosophy and psychology. Today, the base of general studies is far broader.

selves *had* that healing thought and faith. It was, no doubt, in part a load of circumstance, a pull-up out of ruins calling for a helping hand, also a load of heavy remembrance of treasures (German and human) lost beyond recovery. But beyond all this, it was a load of darkness, of types of evil for which they had no complete remedy. Perhaps, I ask, neither they nor we?

I am thinking of the deep and radical unfinishedness of our reflections about democracy. And therefore of the profound, perhaps insuperable, difficulty of conveying a faith in which we ourselves are not entirely sure or clear.

I shall not here enter on the detail of practical issues of which every thinking American is aware, such as these—that while in a sense the people govern, this sense is very indirect and sketchy; that you and I neither govern American foreign policy nor have the data for more than the vaguest judgment about it; that our representatives in Congress, presumed to represent the national interest, are in fact responsive to several types of more vocal and tangible interest, of persons and places, of pressure-groups and parties; that because of this, determined minorities can often actually swing national policy in defiance of national interest and of the votes and protests of such as you and me. We know that technically speaking no populous nation can be a democracy; that it can at best be a republic, like our own nation, protecting individual citizens from governmental encroachment by way of a Bill of Rights, but for affirmative influence on policy, securing them endless vocalization and balloting, shadows of effectiveness with the rarest possibility of substance. We recognize the grain of truth in Faguet's bitter description of democracy as "the cult of incompetence, and the horror of responsibilities." We know, in brief, that political democracy, with us, is a guiding spirit rather than a literal achievement; and that while seeking government by popular wis-

dom as a goal, we must, precisely because of our democratic forms, incessantly fend off government by popular folly, greed, and graft. In the glory of that guiding spirit, we may let these difficulties sink into the background as "problems."

Nor shall I do more than mention the more intimate obstacles to the dominance of the democratic spirit in our social order. The presumption of equality, essential as a legal postulate, has its battles to fight in concrete human relations, in presence of the overt facts of human difference, some irrelevant to the legal abstraction, and some relevant. These battles are not ended by uttering a moral axiom nor by invoking the usually prejudiced concept of prejudice. Human equality is a matter of faith and not of sight; its support, if it is to be supported, must be in the heart and in the ideal of a blessed community. Its battles remain unfinished because the pertinent truth is hard to find, and perhaps still harder to tell.

I mention these matters simply to point out a duty that rests on us as educators. Our function, at home or abroad, is not fulfilled without ample admission that democracy is a movement, a goal, and not a fact of history. And that even as a goal, it does not stand alone and unconditional: government by the people is a tolerable outlook only if the people at heart accept the *democracy of the identical (and imperative) standard* as against the *democracy of human desires and demands*. We have still, in our country, to become clear about the growing issue (old in Europe) of the *democracy of mass-claim* as the weedy pestilence, imitating but hostile to the democracy of souls having a common loyalty to a common task. Germany lost its Republic to a sort of democracy—a demos of mass-passion, perhaps mass-desperation, turning to a mass-minded prophet for rescue, a budding Lucifer whose power lay first of all in passionate puddles of people ranting vehemently of *das Volk*. We do not like

to recognize "democracy" in that hated mirror, but we must look: there at the bottom of the passion-stirred mixture is a morbid, conscienceless, democratic wrath. Germany, in retrospect, could have used a talk about democracy able to face the psychologic facts, and able to distinguish mass-mind from honest demos-mind. This we did not offer, for we were not ready with our own confession that democracy has its diseases as well as its defects. Our talk thus tended to slide over-and-away past the real problems; and to Germans, who knew from experience that democracy, the most auspicious of political structures, is also the most difficult in practice,[4] such innocence or uncandor could only be an alienating influence.

And with this omission, we also failed, as a rule, to use the one consideration that could have justified it, namely, the ground for a democratic ideal which is universally valid, and therefore recommendable to Germany and all other lands. We failed to use it because it is a matter of faith and metaphysic, not of science. In this respect we stand to learn directly from Germany regarding our educational duty. This metaphysical ground was expressed with fair accuracy by my student friend, ex-soldier in Hitler's forces, which is one reason I look with respect on his education: "I stand on the basis of a Christian ethic, on which solely and alone the world can again become sound." Putting this "stand" of his into other words, its essence is that a sound world, including a democratic world, rests on the worth of the individual per-

4. For example, it is a German who has just now published a book dealing most incisively with the bogs into which a democracy by parties falls, as compared with a democracy of truly representative parliamentary type: *Gerhard Leibholz, Der Strukturwandel der modernen Demokratie* (Müller, Karlsruhe, 1953). And I can now add (January, 1954) that High Commissioner J. B. Conant, has won the welcome of many a German mind by an address in which American difficulties in the practice of democracy were explicitly faced.

son; and the worth of the individual derives from a world purpose, within which his own task or function lies. No world purpose, no individual worth; no individual worth, no democracy. Ergo: no world purpose, no democracy. Why did we not put forward this rootage of democracy in the ultimate realities?

A clue to this omission may be found in the Harvard Report on General Education. This scholarly and revealing report strikes into the precise vein of our argument when it concludes that a belief in "the dignity of man" together with his duty is the essential thing in our Western heritage (p. 46). But this dignity, as the report goes on to say, has a humanistic basis; it "springs from his common humanity, and exists positively as he makes the common good his own." Yet this concept of dignity "is equally compatible with a religious view of life." For purposes of education, then, it doesn't make much difference whether we stand on the ground of a Renaissance humanism or find a religious-metaphysical ground. We can agree on human good "at the level of performance" without any necessity of agreeing on ultimates. This typical evasion, to which American educators feel themselves driven by the apparent impossibilities of a common faith within a mixed and democratic society, reveals the breach in our armor. What the university as a corporate body cannot assert, though it be the most fundamental of truths, our Occupation could certainly not admit to its official teaching.[5]

I recur to our question, Did we understand or believe in democracy? And to Professor Kaufmann's searching ques-

5. Yet this remarkable report proceeds immediately to represent "belief in the dignity and mutual obligation of man" as "partaking of the nature not of fact but of faith," and to assert that a major task of education is "to perpetuate . . . common beliefs" on which "our society, like any society, rests" (p. 46).

tion, *Ob eine Besatzungsmacht wirklich erziehen kann*—whether an Occupying power can really educate—widened to the query whether a college in an insistently democratic political community can really educate—to anything but a sort of Hegelian inconclusiveness: to every thesis there is a contradictory antithesis equally valid. We were exhibiting the difficulty of conveying a faith in which we ourselves were neither clear nor sure.

As to the basis of democracy certain clear statements can be made. This basis is indeed a respect for man. But it is not a respect for what is scientifically visible in him; nor yet to what he with his science (and a humanistic self-confidence) feels able to do in mastering his fate. It is a respect due to the reality of the human self as a locus of rights and duties, centered on one right-and-duty absolute, the right-and-duty to find one's task, considered as a cosmic demand, and to do it. For better or for worse, this is metaphysics!

It is true that there is a good utilitarian case for democratic social and political arrangements: they are, in general, expedient arrangements. But expediency is a variable. And apart from the metaphysic of human nature, its rootage in a living universe, the expediency itself is not fully secure, and the cause of democracy sinks to the level of a social ingenuity whose prospects are functions of time and circumstance, and therefore with no firm cogency whether for Germans or Americans. Hence:

IV. Teaching of democracy can hope for high success, at home or abroad, only if (a) it recognizes the defects and quandaries of our present practice and our unfinished thinking on the subject, and if (b) it presents the metaphysical basis on which alone the democratic ideal has a universal claim.

How Learn to Think?

I have raised the question why we evaded the real issues in our efforts to convey a faith in democracy, and why we dodged the one ground on which such a faith could be shown a universal resource.

These questions point to a pervasive element of weakness in the American system of education, which begins with the earliest phases of our teaching and softens the texture of the foundation on which all higher teaching has to build. This may fitly conclude the array of What-to-learn from our experience in Germany, though, indeed, that experience only made more emphatic what has in this matter for some time been growingly apparent.

Broadly speaking, our touch on German education, and on Germany generally, suffered from faulty analysis of the issues that had to be met. We spent vast effort "barking up the wrong tree." There is no occasion to bear heavily on the defects of individual proposals of ours, in view of the inexorable time-pace with which everything had to be done. The fact that we made mistakes is less important in the total count than the fact that we kept our eyes on the goal, and with German cooperation accomplished our task. But the faulty analysis I speak of was not a mere accident of unusual circumstances: it began very early, and at top levels. A nation whose representatives prescribe a course in democracy as a specific remedy for tragic aberrations in the sphere of foreign policy, or studies in sociology as a cure for feebleness in the democratic spirit, or that persists in the party-membership criterion of punishable Nazi guilt . . . is a nation that suffers—I must say it plainly—from *inability to think*.

This inability inheres not at all in the human material of which our nation is made—there is none better. It is traceable to some extent to a type of education in which the effort of thinking has, for two or three generations, been systematically evaded. We have been "learning by doing," and we have supposed that this formula stands in contrast to "learning by thinking," so that if we can learn by doing, we are just to that extent relieved from thinking.

Kindly take a look at that formula. What does it mean? Does it mean simply that we are to learn *to do* by doing? It may be taken as a truism that we must learn to walk by walking; every human activity, every technique, has to be learned by doing—doing it badly until we can do it well. Or does it mean, perhaps, that we are to learn *to think* by doing? And if so, by doing what?

The whole issue lies in the answer to that question.

If it means that we are to learn to think by *doing thinking* that would seem to be good sense: thinking, after all, is an activity, a deed. Learning to do by doing would then imply learning to think by thinking. Excellent!

But unhappily this is not what the followers of this formula have seemed to mean. It has been taken to mean that we are to learn to think by doing—*something else,* preferably with the hands. For example, we are to learn to think arithmetic by (let us say) carpeting floors. On this basis, learning by doing becomes a seductive work of the devil in education, catering to all the mental laziness of teacher and pupil. Arithmetic is the first casualty. Then grammar. Grammar requires thinking, which is too bad; but unlike arithmetic it cannot easily be translated into terms of manual labor: it is therefore discarded. And with it we lose the normal approach to logic, indispensable tool for self-criticism in all higher achievements of human thought. Logic

as the universal, intrinsically exhilarating discipline of every mind caring for excellence, mark of widespread mental strength and ambition in any nation, is as good as jettisoned from school and college—an elective subject usually not elected! It tends to become a domain of specialists, cultivating a symbol-language of their own which sets them off from ordinary men like the sign language of medieval pharmacists: they are "doctors" of logic. It is an educational tragedy that their notable creative achievements in recent years have been accompanied by an almost nation-wide acceptance of logical illiteracy. Whatever the faults of the German educational system, this sort of acceptance is not one of them.

V. There is no honest escape from learning to think by thinking.

Recognizing this pervasive element of weakness, we may look again, perhaps with new understanding, at our major failure as educators in Germany, our failure to identify the intellectual root of the moral lapse within Hitlerism. This deviation, I have said, was simple: it was the rejection of a scruple which stands within Western civilization with the severe insistence of an absolute—the Christian-Kantian scruple against treating humanity as a means only to anyone's ends, including the ends of the state. The intellectual root of this lapse is the idea of an "absolute," which our prevalent mentality has become too flabby to stomach. We have, as educators, become fascinated with the first initiation of the growing mind, the discovery of relativity—an epoch-making discovery for every adolescent, an emancipation from provincialism, from the dogmatism of sheltered thinking, a new and liberating capacity to think all of one's thoughts as "merely mine," ergo, conditioned by my special

circumstances, ergo "relative." It is the psychological illumination: the "I think" which I may prefix to all of my beliefs, at once reduces them from simple truths to functions of my organism! And there we stick: unable to take the next step—to discover the *relativity of relativity;* which means the working presence, within the judgment of relativity itself, of an absolute to be recognized and held. With the same mental naïveté that fancies truths of experience to be at sword's points with *a priori* truth,[6] or that induction must be hostile to deduction, we, who have entered the wide liberty of the relative, shudder at the very term "absolute" as the logical incarnation of the totalitarian spirit.

It is the precise opposite.

I shall not here argue these points—I have done so elsewhere [7]—but only note that, so far from aiding the totalitarian pretense, an absolute in the field of duty is our one definitive footing for defiance of the totalitarian state; without it, we had no solid answer to Hitler.

VI. Only a moral absolute can hold its own in meeting the claims of absolute political power.

And for both the erring strand of German policy and the mentally anemic strands of our own thinking, healing might have been found, may still be found, in the work of a thinker who, just because he realized the vast scope of the empirical and the relative in human judgment, gave his life to sifting out a few strands of stability and certitude: "pure reason" he called them. He may have found too much under this title; but some of his findings stand. He saw the "categorical imperative." And he postulated, though he did not yet see,

6. See above, p. 225.

7. As, for example, in *Goethe and the Modern Age,* A. Bergstraesser, editor (Regnery, 1950), pp. 275–79.

that with that absolute *I ought* there is also an absolute *Thou art,* because of whose presence Kant's *I ought* is saved from being stark duty-in-the-void: these two are one absolute. With them, Hitlerism cannot exist; without them it may exist, and not in Germany alone.

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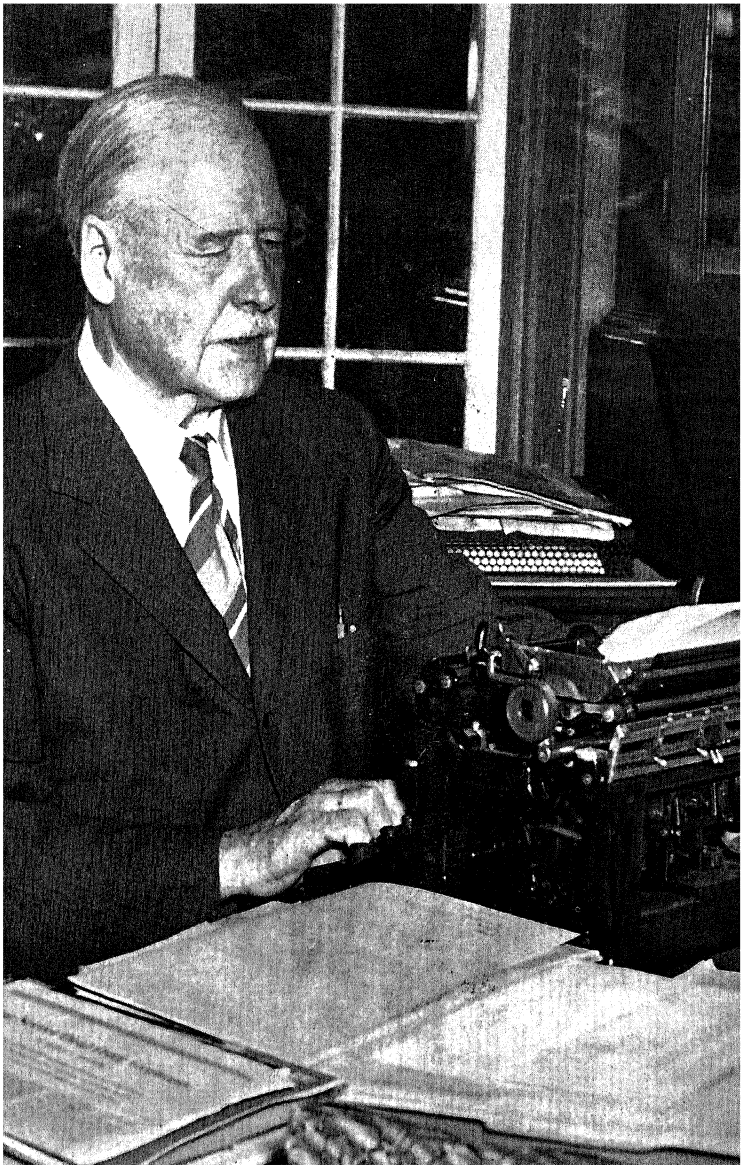

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